

CITY OF PRINCETON

PERSONNEL
POLICIES & PROCEDURES
MANUAL

Effective as of September 1, 2021

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PERSONNEL POLICIES & PROCEDURES MANUAL

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PERSONNEL MANUAL ACKNOWLEDGMENT FORM

The City of Princeton’s Personnel Policies & Procedures Manual, revised September 1, 2021, and describes important information about City personnel policies and procedures. I have received a copy of the Manual, and I understand it is my responsibility to read and comply with the policies contained in the Manual and any revisions made to it. I understand I should consult with my supervisor, my Department Head, or Human Resources regarding any questions not answered in the Manual. I also understand that violation of any City policy may result in disciplinary action, up to and including termination of employment.

I have entered into my employment relationship with the City voluntarily and acknowledge there is no specified length of employment. Accordingly, either the City or I can terminate the relationship at will, with or without notice or cause, at any time. With the exception of the City’s employment-at-will policy, I understand that all of the information, policies, and benefits described in the Manual are subject to change. I acknowledge that this Manual is neither a contract of employment nor a legal document and that I do not have a property interest in my employment with the City. I also understand that only the Mayor, with the approval of the City Council, has the authority to enter into an employment agreement on behalf of the City for a specific period of time. Any such agreement must be an express written employment contract signed by both the Mayor and the affected employee.

I understand that the policies in the Manual supersede all prior written and/or oral City policies. I also understand that it is my responsibility to keep my Manual updated with any future changes adopted by the City Council.

Employee Signature

Date

Employee Name (Typed or Printed)

CITY OF PRINCETON CODE OF ETHICS

As City employees and public servants, we each agree, both individually and as a group, to:

- Strive to protect and enhance the City's reputation.
- Act respectfully, courteously, and professionally to citizens and to others with whom we come into contact.
- Not grant any citizen any favor, benefit, or special privilege beyond what we provide to all citizens of our City.
- Provide efficient and productive services to our citizens, remembering to always give a full day's work for a full day's pay and recognizing that misuse of public time is dishonest.
- Keep confidential any information acquired by our position as City employees and not use such information for personal or private gain.
- Not seek or obtain special privileges for ourselves, our families, or others, based upon our relationship with the City.
- Not solicit, receive, or obtain anything of value from any other public or private official, which is, or is likely intended to influence us in the performance of our duties.
- Immediately report to an appropriate supervisor the nature and extent of any financial or personal interest in a City contract, agreement, or other transaction.
- Use City vehicles, equipment, supplies, and property only on behalf of or for benefit of City and not for personal benefit.
- Not exceed our authority or ask others to do so.
- Make all employment decisions, including recruitment, hiring, selection, and promotion, based on merit, qualifications, and ability.

SECTION ONE: Introduction & Key Policies

1.1 INTRODUCTION

This Personnel Policies & Procedures Manual (“Manual”) is designed to acquaint you with the City of Princeton (“City”) and provide you with information about working conditions, employee benefits, and some of the other policies affecting your employment. You should read, understand, and comply with all provisions of the Manual. It describes many of your responsibilities as an employee and outlines many of the benefits provided by the City to employees. Eligible employees will be given additional information about the City’s various benefit programs.

The policies in this Manual apply to all City employees unless specified otherwise by the policy itself or by State law, a City Ordinance, a properly approved and authorized exception, or an official City Council action. (Certain policies, including the EEO & Prohibited Harassment Policy, Electronic & Digital Communications Access & Use Policy, and Employment of Relatives/Nepotism also apply to the Mayor, City Council members, and volunteers.) To the extent a policy in the Manual conflicts with applicable law or a City ordinance, the applicable law or ordinance will govern. The City Council may change or cancel policies in this Manual at any time without prior notice.

The policies in this Manual supersede all prior written and/or oral City policies. If you have questions about a policy, please ask your supervisor, your Department Head, and/or Human Resources (“HR”).

1.2 SERVICE TO THE PUBLIC

The City’s mission is to provide for the health, safety, and quality of life for our citizens, and in doing so, provide a foundation for building a better community. Providing high quality service to the public in a timely, accurate, efficient and courteous manner is our primary objective. Each employee represents the City when in contact with citizens and others and is responsible for maintaining the good reputation of the City and favorable attitude of the public toward City administration. Employees must demonstrate the proper level of job performance, courtesy, and professionalism in all they do.

1.3 MANAGEMENT AUTHORITY

Management Authority. The City’s governing body is the City Council and the Mayor is the City’s chief executive officer. The policies contained in this Manual were approved by the City Council. With the exception of matters of appointments and other personnel actions reserved to the City Council by statute or code of ordinances, the Mayor has delegated administration of these policies and the administration of most City personnel to the City Manager and/or to the Director of HR (the HR Department and the HR Director or collectively referred to as “HR”), as reflected in this Manual. The City Manager and the Assistant City Manager are collectively referred to throughout the Manual as “CMO”. HR has primary responsibility for the administration of human resources. In turn, the City Manager and HR may delegate their ministerial authority to other City staff members as appropriate. Where a policy in this Manual refers to the Mayor acting “in consultation with” an employee (such as the City Manager or HR), that employee will normally provide the Mayor with information necessary for the Mayor to make an informed decision and also provide their recommendation.

Only the City Council has the authority to enter into an employment agreement, promise, or commitment contrary to these policies. The City Council may interpret, revoke or change any policy at any time. Any conflicts, questions, or ambiguities in City or Departmental policies and procedures should be directed to HR. HR, working with the City Manager, will address and refer, if necessary to the Mayor and/or City Council, as appropriate.

Departments & Department Heads. The City is organized into various Departments as set out in the City’s current “Org Chart”. All Departments report to a Department Head. Some Department Heads have responsibility for more than one Department. When Department Heads are granted authority in this Manual, they are authorized to act but only in consultation with HR and/or the City Manager. In this Manual, the following positions are referred to as a “Department Head.”

- Chief of Police
- Fire Chief
- Director of Development Services
- Director of HR
- Director of Parks & Recreation
- Director of Public Works
- Finance Director
- Director of Community Engagement

Approval Hierarchy. Throughout the Manual, various policies require approval of certain actions by an employee’s Department Head and/or HR. If the employee in question is a Department Head or HR, then the City Manager’s approval is required. If the employee in question is the City Manager, then the Mayor’s approval is required.

Departmental Policy Requirements. Department Heads may develop policies and procedures applicable to their Department’s internal operations. All Departmental policies and procedures must be approved by the CMO. Departmental policies cannot be in conflict with this Manual and may be more restrictive, but not less restrictive, than policies in this Manual. Department Heads are responsible for obtaining the necessary review and approval prior to issuing Departmental policies and procedures. Departmental policies and procedures will not become effective unless they have been reviewed and approved in accordance with this policy.

Applicability of Policies and Procedures. The policies and procedures in this Manual apply to all City employees, both on and off duty where applicable. unless otherwise indicated, restricted by proper authority, or prohibited by City ordinance or State and/or Federal law. Certain policies also apply to the Mayor, City Council members, and volunteers. To the extent a City or Departmental policy conflicts with applicable law or a City ordinance, the applicable law or ordinance will govern.

Enforcement. Department Heads and other members of City Management are responsible for enforcing the provisions of this Manual. Violations of City or Departmental policies or procedures will likely result in disciplinary action.

1.4 AT-WILL EMPLOYMENT

For most employees, employment with the City is at-will. This means that either the employee or the City may end the employment relationship at any time, for any reason or for no reason, with or without cause or notice. Nothing in this Manual or any other City document creates a contract or guarantee of employment and no agreement or promise regarding an employee’s terms or conditions of employment are binding on the City. Exceptions to this policy are rare and require a written, individual employment contract approved by the City Council, and signed by both the Mayor and the affected employee. No supervisor or City Council member has the authority to create an employment contract or to make any representation or promise inconsistent with this Manual.

1.5 EEO & PROHIBITED HARASSMENT

The City is committed to providing courteous and professional treatment to its employees, citizens, visitors, vendors, and others who have dealings with the City. City employees are entitled to a professional work environment where they are treated with dignity and respect. In turn, employees must be professional and

respectful of one another and with others. This policy prohibits all types of unlawful harassment, discrimination, and retaliation by or against City employees and sets out the process for employees to follow when filing a complaint.

Legally Protected Characteristics. Race, religion, color, sex, sexual orientation or preference, national origin, age, disability, marital status, pregnancy, military or veteran status, citizenship, genetic information, gender identity or expression, and any other characteristic protected by law is covered by this policy.

Equal Employment Opportunity. The City is an equal opportunity employer. In order to provide equal employment and advancement opportunities to all, employment decisions are based on merit, qualifications, and abilities. The City prohibits discrimination on the basis of any legally protected characteristic.

Sexual Harassment. Under Texas law, supervisors, coworkers, and others may be held **personally liable** for engaging in or failing to stop sexual harassment. If sexual harassment of a City employee occurs and you do not report it immediately as set out in this policy, you may potentially be personally liable. The City prohibits all types of sexual harassment, including on and off-duty and off-site, e.g., during business trips, conferences, social events, and meetings. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Examples of Prohibited Sexual Conduct. Sexual harassment does not require sexual attraction or interest. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Examples of conduct prohibited by this policy include:

- Sexual advances or requests for sexual favors
- Sexual jokes, stories, comments, conversations, and innuendo
- Comments/gossip/speculation about your own or another's body, sex life, fantasies, preferences, deficiencies, history, prowess, preference or orientation, gender identity or expression, or sexual attraction
- Unwelcome touching, including hugging, neck and shoulder massages, kissing, patting
- Touching or rubbing one's self sexually
- Standing too close to or brushing up against someone
- Leering, inappropriate staring, or looking someone up and down
- Whistling, "cat calls", making kissing sounds, howling, smacking or licking lips
- Insulting or obscene comments or gestures
- Sexually suggestive objects, pictures, texts, emails, graphics, videos, etc., including nudity and pornography
- Asking unwelcome personal questions
- Giving unwelcome personal gifts
- Referring to someone as girl, boy, hunk, doll, babe, or honey
- Other inappropriate physical, verbal, or visual conduct of a sexual nature, including emails, texts, tweets, IM, YouTube and other videos, Facebook, Instagram, Snapchat, other social networking sites, and by any other electronic means

Other Prohibited Harassment. In addition to its prohibition against sexual harassment, the City also prohibits harassment on the basis of any and all other legally protected characteristics, including on and

off-duty and off-site, e.g., during business trips, conferences, social events, and meetings. Examples of prohibited conduct include:

- Derogatory or hostile names, terms, slurs, jokes, comments, writings, pictures, video, or graphics
- Negative stereotyping
- Threatening, intimidating, or hostile conduct

The type of conduct prohibited by this policy includes communicating or sharing of information by email, texts, tweets, IM, YouTube, Facebook, Instagram, Snapchat, other social networking sites, and by any other electronic means.

Mandatory Reporting. While not all incidents violate the law, the City’s policy is to prevent and correct harassment and other inappropriate conduct long before it becomes unlawful. This can only happen if employees timely report inappropriate conduct. So, under City policy and the law, **you must immediately report** any conduct that violates this policy, even if you were not the target, and regardless of whether the harasser or offending person is a supervisor, a manager, a member of the City’s senior management team, a City Council member, a co-worker, a citizen, a vendor, or other third party. Harassment and other violations of this policy **must be reported immediately** to one of the following:

- HR Director
- City Manager
- Mayor

Voice messages or e-mails may be left at any time.

Under this policy, employees may but are not required to follow their Department’s normal reporting or chain of command and doing so does not excuse the employee from immediately reporting violations of this policy to one of the City officials listed above. An employee who makes a verbal report to one of the listed officials and feels their report was not adequately or timely addressed, must then put their report in writing and give it to one of the other listed officials. Supervisors, including Department Heads, must immediately report all potential policy violations and reports of policy violations to HR.

The City encourages employees who feel comfortable doing so to promptly tell the offender that their conduct is unwelcome and request that it stop. Often this will resolve the problem. If, however, the conduct continues and/or is a clear violation of this policy, employees are still required to immediately report the conduct to one of the City officials listed above.

Employee Dating. Department Heads and their assistants and employees in the City Manager’s Office, Finance, and HR, are prohibited from dating another City employee. Other supervisors are prohibited from dating anyone in their own Department and are discouraged from dating employees in other Departments, especially if the relationship (or dissolution of the relationship) might reasonably create a disruption to the work environment, create a conflict of interest or the appearance of a conflict of interest, or lead to charges of favoritism, discrimination, or sexual harassment. If a dating relationship is permitted under this policy, repeatedly asking out someone who is not interested is still a violation of this policy. For purposes of this policy, “dating” includes both serious and casual dating and other conduct associated with romantic or sexual relationships. Anyone with questions as to whether an existing or potential relationship is prohibited by this policy is directed to discuss it with their Department Head, HR, and/or the City Manager. Any exceptions to this policy requires the City Manager’s written approval.

Investigation. All reports of prohibited conduct will be investigated promptly, in as confidential a manner as possible. The investigation will be coordinated by HR unless the City Manager or Mayor direct otherwise. All employees are required to cooperate with the investigation.

Retaliation Prohibited. Retaliation against employees because they made a good faith complaint or report of prohibited conduct or because they assisted in a complaint investigation is prohibited. Acts of retaliation must be reported immediately as set out above.

Responsive Action. The City takes violations of this policy very seriously and will take immediate and appropriate corrective action to stop the prohibited conduct and prevent it from recurring. Employees who violate the policy will be disciplined, up to and including discharge. Employees who intentionally make false or exaggerated claims or who are uncooperative in an investigation are also subject to discipline.

Certain City Jobs. Duties of some City jobs require exposure to information and/or conduct that, in other cases, might be a violation of this policy. When exposure to or working with such information and/or conduct is reasonably necessary to carry out job duties then an exception exists to this policy. Examples may include fire fighters and police officers responding to an emergency call, a police officer assigned to a criminal investigation, and an HR employee investigating an allegation of sexual or other unlawful harassment.

1.6 REQUESTS FOR ACCOMMODATION

The City provides reasonable accommodation as required by local, state and federal law, including for the following:

- **Disability.** The City provides reasonable accommodation to the known physical or mental impairments of an otherwise qualified individual with a disability if such reasonable accommodation will enable the individual to perform the essential functions of the position at issue.
- **Religion.** The City provides reasonable accommodation to employees sincerely held religious beliefs.
- **Pregnancy.** The City provides reasonable accommodation for pregnancy and related conditions.

The City's obligation under this policy is limited to providing reasonable accommodations that will not result in undue hardship to the City. All requests for accommodation must be in writing and directed to HR. Request forms are available from HR. Employees who have a complaint involving accommodations must immediately report such complaint as outlined in the City's EEO & Prohibited Harassment Policy.

1.7 SAFEGUARDING CITY ASSETS & INTERESTS

The City's goal is to provide excellent service in an environment of strong governmental and personal ethics. To grow this reputation and culture, our employees are held to very high standards of loyalty, confidentiality, and security. This section of the Manual is a compilation of policies designed to support and enhance the City's commitment to ethics and to the safeguarding of its assets and interests. The City recognizes that its policies cannot address every situation, so know that the City's clear expectation is that employees will not misuse its property, assets, or confidential information or that of its employees, citizens, vendors, or other business partners.

1.7.1 Information Security. Employees must follow all security and other requirements set out in the City's information security policies and procedures, record retention schedules, open records procedures, HIPAA, and other applicable policies and procedures.

1.7.2 Confidential & Proprietary Information. City employees will sometimes have access to confidential and/or proprietary information belonging to the City or others with whom it does business or for whom it performs services. Employees must affirmatively protect all confidential information and share it only on a strict "need-to-know" basis. Confidential and proprietary information may not be used for personal gain or in any way that is adverse to the City's interests. Using confidential information for the purpose of making personal investments or business decisions is also prohibited. All confidential information must be left with the City

when an employee leaves City employment. Employees with questions as to what is confidential, what is a legitimate and necessary business reason, who is an appropriate person with whom to share or discuss confidential information, must talk to their supervisor, Department Head, HR, or the City Manager.

1.7.3 No Expectation or Right of Privacy. Employees have no expectation or right of privacy when using any of the City’s facilities, equipment, information systems, or in City property used by employees such as lockers, file cabinets, desks, and offices, vehicles, cell phones, cameras, computers, and electronic data and files, whether secured, unsecured or secured by a password or lock provided by the employee. Authorized City officials have the right and ability, with or without notice, to monitor and access all activities and communications conducted on City property and/or using City equipment or systems. Employees must immediately turn over any City equipment, information, or documentation upon request by HR, the City Attorney, or a higher authority in the employee’s chain of command.

1.7.4 Ownership of Intellectual Property. With the exception of material clearly owned by third parties, the City is the legal owner of all business information stored on or passing through its systems. All work done by employees for the City is City. All City-branded or sponsored social media sites belong to the City.

1.7.5 Conflict of Interests. Employees owe the City a duty of loyalty. This means that employees must conduct themselves, both on and off duty, in a manner that does not conflict with, or appear to conflict with, the City and its operations and/or applicable state law. Any relationship, activity, gift or involvement that may compromise this duty of loyalty is prohibited. This means employees cannot, directly or indirectly:

- Use City employment, authority, or influence in any manner for their personal betterment, financial or otherwise;
- Have any financial or other interest, directly or indirectly, in any proposed or existing contract, purchase, work, sale or service to, for, with, or by the City;
- Have discussions or participate in decisions of any City agency, board, commission, or instrumentality if the employee has any personal economic interest in, is employed by, or affiliated with, directly or indirectly, the person or entity that is the subject of the discussion or decision;
- Accept other employment or engage in outside activities incompatible with the performance of their duties and responsibilities as a City employee or that might impair independent judgment in the performance of duties to the City (See Outside Employment Policy); or
- Provide services to or receive compensation or other benefit from a person or organization, directly or indirectly, requesting an approval, investigation, or determination from the City.

Employees who are also “municipal officers” must also comply with Chapter 171 of the Local Government Code and any other applicable law dealing with conflicts of interest. Municipal officers should direct questions on this topic to the City Attorney.

Any exceptions to any of the above must be reviewed and approved, in advance and in writing, by the City Manager in accordance with applicable state law.

1.7.6 Gifts & Favors. With the exception of certain City-sponsored charitable activities specifically approved by the City Manager, City employees are prohibited from using their position as a City employee to solicit, accept or agree to accept any gift, money, loan, favor, or other benefit from contractors, vendors, or anyone else who has done, is doing, or seeks to do business with the City. This policy does not prohibit reasonable business meals and entertainment, small gifts,

and other professional offerings of a reasonable or nominal value offered in the normal course of business, such as:

- Awards publicly presented in recognition of public service;
- Occasional meals where City business is discussed;
- T-shirts, caps and other similar promotional materials; or
- Gifts that would be offered or given even if the person were not a City employee.

Also, routine food coupons, frequent flier awards, discounts, and other promotional items awarded to an employee while carrying out City business may be accepted and kept by the employee and will not be considered a violation of this policy due to the administrative difficulty and cost involved in recapturing the discount or award for the City. Donations or gifts, such as food, made to the City during holidays or at other times, must be placed in the break room (or other designated area) so that it can be shared with other City employees.

City employees may not give to, or accept from, another City employee a gift or other item of more than minimal value. Giving and accepting cards, food (such as cakes and cookies) or token gifts for birthdays, Bosses' Day, Administrative Professionals Day, holiday celebrations, weddings, bereavement, or similar events is not a violation of this policy.

Sometimes, what is "nominal," "routine," "reasonable," "minimal," "token," or "material" may depend on the circumstances and your position in the City. Always err on the side of caution. When in doubt, seek guidance from your supervisor, Department Head, or the City Manager. Gifts or other items of more than a minimal value must be reported to your supervisor, Department Head, and/or HR so that the item can be turned over to the City and/or returned.

1.7.7 Use of City Resources. All employees, but particularly Supervisors, must look for ways to reduce costs and avoid waste, duplication, and inefficient operations. Employees must safeguard City equipment and other assets. Employees are responsible for items formally issued to them as well as for items otherwise in their possession or control or used by them in the performance of their job duties. Limited personal use by employees of City phones, computers, and other property may be allowed as long as such use is not adverse to the City's interests, does not adversely impact job performance, or result in any additional costs to the City. See "Use of City Property and Equipment Policy, Purchasing Policy, and other applicable City policies".

1.7.8 Guidance & Reporting. If you have questions regarding your obligations under this or any related policy or your overall duty of loyalty to the City, contact your supervisor, Department Head, or HR. Likewise, if you know of or suspect a potential security problem or breach, questionable or suspicious activity, any loss of or damage to City property, or any other conduct that is not in keeping with the high standards expected by the City of Princeton, you must immediately report your concerns to your supervisor, Department Head, or CMO.

SECTION TWO: Hiring & Employment

2.1 EMPLOYMENT STATUS

The City of Princeton classifies City employees for the purpose of employment status and/or benefit eligibility as follows.

Employment Status. Each employee belongs to one, and only one, of the following employment categories. An employee's status may be changed only upon written approval of, and notification by, HR.

- **New-Hire Probationary.** An employee hired for a specifically budgeted, regular full-time or regular part-time position who is in the 6-month probation period of initial employment (this period is longer for some police and firefighters). Probationary employees are entitled to benefits depending upon whether their position is a regular full-time or part-time position. They are not entitled to progressive discipline or employee appeals.
- **Regular Full-Time.** An employee in a specifically budgeted, regular position with an officially scheduled workweek of 40 hours or more each workweek (except for certain Fire and Police shift personnel who have different work cycles) who has successfully completed their new-hire probation period. Generally, regular full-time employees are eligible for the City's full benefits package, subject to the terms, conditions, and waiting periods of each benefit program. Regular full-time employees are required to participate in the Texas Municipal Retirement System (TMRS).
- **Regular Part-Time.** An employee in a specifically budgeted, regular position who is normally scheduled to work, on average, less than 40 hours in a workweek and who has successfully completed their new-hire probation period. These employees receive all legally mandated benefits and are also eligible for longevity pay and holiday pay in some cases, but are not typically eligible for vacation pay, sick pay, and other employee benefits. Part-time employees who work at least 1000 hours in a year must participate in TMRS.
- **Temporary or Seasonal.** An employee employed for a specific time, for a special assignment, or as an interim replacement. Employment assignments in this category are of a limited duration, up to a maximum of 1000 hours in a fiscal year. Temporary and seasonal employees receive all legally mandated benefits (such as workers' compensation coverage), but are not eligible for the City's other employment benefits, including progressive discipline and employee appeals. Employment beyond any initially stated period does not in any way imply a change in employment status. These employees are limited in the number of hours they can work for the City and, in most instances, cannot work for the City more than six months.
- **Contract Employee.** An employee with a written contract of employment approved by the City Council that governs the terms and conditions of their employment.

No Dual Employment or Volunteering by Employees. Employees may not work assignments for the City outside of their regular job duties, even on a part-time basis, unless expressly approved, in writing, by HR. Employees cannot volunteer their services to the City within their own Department under any circumstances (except for in the Fire Department under limited circumstances and only if expressly approved by the Fire Chief, or designee; however, the Chief will not authorize an employee in the Fire Department to volunteer to provide the same or similar services for which they are employed by the City).

Non-City Employees. The following are not City employees:

- **Volunteers.** Volunteers are not employed by the City in any capacity (except for in the Fire Department under limited circumstances and only if expressly approved by the Fire Chief, or designee; however, the Chief will not authorize an employee in the Fire Department to volunteer to provide the same or similar services for which they are employed by the City). Volunteers elect to donate their time and services as a volunteer without pay and without being entitled to any benefits.
- **Temps.** Temporary workers who are placed with the City but who are employed by a temporary staffing agency must look to the temporary staffing agency to determine what benefits they are provided. These workers are not City employees and are not eligible for any City employment benefits.
- **Independent Contractors.** Because of the complicated rules that determine whether a worker qualifies as an independent contractor, HR must approve, in writing, the hiring of individuals (including sole proprietors) as independent contractors.

2.2 PERFORMANCE APPRAISALS

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. More formal performance appraisals may be conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. Supervisors are encouraged to give new employees a formal evaluation prior to the completion of their new-hire probationary period.

2.3 NEW HIRE PROBATION

All new employees (including rehires) hired to fill a specifically budgeted regular full-time or regular part-time position must satisfactorily complete a six-month new-hire probationary period (this period is longer for sworn police and firefighters). (The City Secretary, Municipal Court Judge, and seasonal/temporary employees do not serve a probationary period.) The purpose of the new-hire probationary period is to give the City time to evaluate an employee's ability and desire to meet acceptable standards of work performance and conduct in a new role. Department Heads and supervisors are responsible for ensuring thorough written documentation, including counseling, training, and other efforts to help employees during their new-hire probationary period.

Successful Completion of New-Hire Probation. Employees have no guarantee of employment either during or after their new-hire probationary period. Only employees who meet acceptable performance, conduct, attendance, and other standards during probation will be retained as regular employees. New hires (other than the City Secretary, Municipal Court Judge, and seasonal/temporary employees) who successfully complete probation is granted "regular" status and become eligible for progressive discipline and disciplinary appeals under the City's Discipline Policy.

Extension of New-Hire Probation. Employees remain probationary until they have actually performed their regular job duties for at least six months. The probationary period may be extended for up to 90 days if approved by HR. Reasons for granting an extension might include: marginal performance due to extenuating circumstances; additional training is needed; or an extended absence (e.g., military leave or workers' comp) did not allow for adequate assessment. The decision to extend or not extend probation is not appealable. If an extension is granted, the employee will be advised in writing of the extension date.

Paid Leave During New-Hire Probation. Employees may not use paid sick leave or vacation until after they have successfully completed their initial new-hire probationary period unless they have specific approval from their Department Head to do so. Recognized holidays during this time may be used as approved per established City/Departmental policy or practice.

No Progressive Discipline or Right of Appeal During New-Hire Probation. During new-hire probation, employees are not eligible for progressive discipline or disciplinary appeals under the City's Discipline Policy.

Only One Probationary Period. Employees serve only one initial new-hire probationary period. An employee whose status changes from part-time to full-time does not serve another new-hire probationary period.

Failure of New-Hire Probation. Employees can fail their new-hire probation at any time during the probationary period if their job performance, conduct, and/or attendance is not acceptable. An employee who fails probation will normally be terminated. All terminations must be authorized in advance by HR.

Performance Evaluation at End of New Hire Probation. Employees should receive a written performance evaluation at the end of their probationary period. The review is designed to evaluate and communicate employee performance, along with a supervisory recommendation to retain or terminate the employee. Supervisors are expected to give the evaluation in a timely manner. A copy of the supervisor's

evaluation and the Department's recommendation to retain or terminate the employee must be timely forwarded to HR and placed in the employee's personnel file.

2.4 JOB DESCRIPTIONS

Job descriptions set out the required knowledge, skills, abilities, required experience and training, and the minimum qualifications for each position. Official job titles and duties are maintained and updated by Department Heads, working with HR. Job titles are to be used on all official records, business cards, City identification, payrolls, and City-related communications.

2.5 EMPLOYMENT OF RELATIVES (NEPOTISM)

Nepotism is the hiring of family or relatives. The City follows applicable state law in regards to hiring relatives of public officials. The City also has a policy prohibiting the employment of relatives as set out below.

Employees.

- **Prohibited Employment.** In order to prevent conflicts of interest and perceptions of biased conduct and to maintain the confidentiality of restricted information, relatives will not generally be employed in the same department, in positions where one relative will work directly for or be supervised by a relative, where a relative has some authority or control over decisions impacting a relative (e.g., hiring, retention, transfer, promotion, discipline, wages or leave requests), or other situations that are likely to present a conflict of interest (or potential conflict of interest).
- **“Grandfathered” Employees.** Certain employees, employed on the date this Manual took effect, are “grandfathered in” and are thus exempted from this policy based on their family relationships that existed at that time. “Grandfathered” employees who leave City employment and later reapply must comply with this policy.
- **Changed Situations.** The City recognizes that future situations may arise where employees who were not relatives when hired may subsequently become related to another City employee. If a status or personnel change will result in a policy violation, affected employees must immediately inform their Department Head and HR. Relationships that violate this policy will, unfortunately, normally result in the termination of one or both employees if a transfer or other resolution is not workable.
- **Exceptions.** Exceptions to this policy are rare and will be granted only when in the City's best interest based on legitimate business reasons. Exceptions must be authorized, in writing, by HR.
- **Periodic Review.** Periodically, HR may review job descriptions and interrelationships between jobs to determine if they comply with the requirements of this policy.
- **Definition of Relative.** The definition of a “relative” is applied broadly and includes an employee's:
 - Parent, child, sibling
 - Stepparent, stepchild, step grandchild, and stepsibling
 - Son-in-law, daughter-in-law
 - Aunt, uncle, niece, nephew, grandparent, grandchild, and first cousins
 - Great aunt/uncle, great niece/nephew, great grandparent, great grandchild, and second cousins
 - Spouse/partner and spouse's (or partner's) mother/father, brother/sister, son/daughter, aunt/uncle, niece/nephew, grandparent, grandchild, and first cousins
 - Former spouse, fiancé, “significant other,” and members of the same immediate household

Elected Officials. Nepotism of elected officials is governed under state law (Chapter 573, Texas Gov't Code). Anti-nepotism laws prohibit the City from hiring relatives of an elected official who are related to the official within the first, second, or third degree by consanguinity (relationships by blood) and/or who is related to the official within the first or second degree by affinity (marriage).

The following relatives of a public official fall within the prohibited degree of consanguinity:

- Mother, father, sons and daughters (including adopted children).
- Brothers, sisters, grandmothers, grandfathers, grandsons and granddaughters.
- Great-grandfathers, great-grandmothers, aunts, uncles, nephews, nieces, great-grandsons, and great-granddaughters.

The following relatives of a public official fall within the prohibited degree of affinity:

- Husband, wife, father-in-law, mother-in-law, sons-in-law, daughters-in-law, stepsons, and stepdaughters.
- Sisters-in-law (brother's spouse or spouse's sister), brothers-in-law (sister's spouse or spouse's brother), spouse's grandmothers, spouse's grandfathers, spouse's granddaughters, and spouse's grandsons.

2.6 PERSONNEL RECORDS

Official Personnel File. HR maintains official personnel files for each City employee. Employment application, acknowledgement of receipt of Personnel Manual, signed Job Description, performance reviews, change of status records, commendations, disciplinary actions, leave and attendance records, and educational and professional attainment records are examples of records maintained in personnel files. Departments are to timely forward these records to HR.

Departmental Files. Employee files maintained at the Departmental level should contain only information about the employee's performance and conduct for assessment and evaluation purposes, or as necessary for licensing and/or certification. Types of documents kept in Departmental files include supervisory counseling and other notes, notes about attendance, copies of discipline issued to an employee, copies of performance evaluations, and licensing and/or certification records. Absent express written authorization from HR, medical information cannot be kept in Departmental files. Upon an employee's separation from City employment, all documentation regarding that employee must be forwarded to HR.

Access to Information in Personnel Files. Personnel files are City property and access to them is restricted. Information contained in personnel files may, however, be subject to disclosure in accordance with the Texas Public Information Act (PIA). Personnel files are available as follows, subject to approval by and procedures established by HR:

- Employees may normally examine the contents of their personnel file.
- Examination of an employee's personnel file by a potential employer will normally be permitted with a written release acceptable to the City.
- Upon written request, which complies with the provisions of the PIA, anyone may examine information contained in any employee's personnel file, except for information deemed confidential by law.
- A City employee who has supervisory authority over the employee, or an employee with a bona fide "need to know", may examine certain material in an employee's personnel file.
- By order of a court of competent jurisdiction, a person may examine an employee's personnel file as ordered by the Court.
- As deemed appropriate wherein the City's best interest.

Unauthorized release, copying, removal, or alteration of a document from a personnel file will result in appropriate discipline, up to and including termination.

Open Records & Other Requests. Most City documentation about you is considered an open record and is available to the public. Employees may, however, elect to keep confidential their home address, home

telephone number, social security number, and information identifying their family members. To make this election, you must complete the appropriate form and submit it to HR. If you do not complete and turn in the form, then this information is public. (Note: This information is confidential for peace officers even if they do not fill out the form.) All requests for information from or access to personnel records must be referred to HR. HR will consult with the City's Public Information Officer and/or the City Attorney, as appropriate, before responding.

Medical Records. Employee medical records are maintained in separate files by HR and treated as confidential. Medical records are not to be maintained outside HR unless specifically authorized by HR in extraordinary circumstances.

Changes in Personnel Information. Employees must keep HR timely updated (as soon as possible but no later than 10 business days) with their current home address; home and cell phone numbers; name and family status (births, marriages, death, divorce, legal separation); name and address of dependents (for benefits and tax withholding purposes only); beneficiary designations; emergency contact information; educational accomplishments; and relevant certifications or licenses, including driver's license status. This responsibility also applies to employees on a leave of absence. Employees who may be designated as on-call and/or who hold public safety positions must also immediately provide their supervisor and Department with updates to their contact information.

Accuracy of Information. The City relies on the accuracy of information provided by individuals in their resume and employment application, as well as other data provided throughout the hiring process and during employment. Any misrepresentations, falsifications, or material and/or purposeful omissions in any of this information will likely result in the termination of the employee or the exclusion of an applicant from further consideration for employment.

2.7 BACKGROUND CHECKS

The City may perform background checks on applicants and employees to determine their eligibility for employment, ongoing employment, or volunteer work, as the case may be. Background checks may include, but are not necessarily limited to, verification of education and prior employment, reference checks, drivers' license checks, outstanding warrant checks, criminal history and credit reports. The City may also conduct periodic background checks on existing employees. Applicants and employees are required to give the City whatever authorization is necessary for it to perform such checks.

To ensure that the City remains in compliance with applicable laws, individual supervisors are not allowed to conduct their own background checks of applicants or employees. All background checks must be coordinated through and authorized by HR, including background checks conducted by the Police and Fire Departments.

2.8 OUTSIDE EMPLOYMENT & ACTIVITIES

Written Authorization Required. City employees may engage in outside employment provided they receive prior written approval using the City's approval/authorization form. Employees must have a current approval/authorization on file for all outside employment.

Prohibited Activities. Employees cannot engage in outside employment (including self-employment) or other activities that might discredit the City, result in a conflict of interest or a potential conflict of interest, or adversely affect the employee's job performance.

Workers' Comp Coverage. Employees are not typically covered by the City's workers' compensation insurance while working for another employer.

Outside Employment While on Leave Prohibited. Approval for outside employment as set out in this policy does not authorize an employee on FMLA leave, sick leave, disability leave, workers' compensation leave, administrative leave, off due to illness/injury, or on an unpaid leave of absence, or on restricted or light/modified duty to engage in any outside employment. Any exceptions must be expressly authorized in writing by the employee's Department Head and HR.

Periodic Review. Each November, Department Heads should review and update the written outside employment authorizations on file for employees in their Department.

2.9 IMMIGRATION LAW COMPLIANCE

The City is committed to employing only those individuals who are authorized to work in the United States and who comply with the requirements of the Immigration Reform and Control Act (IRCA). Under IRCA, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form (I-9) and present legally acceptable documentation to HR establishing identity and employment eligibility. This must be done within three days of beginning employment. Failure to provide the necessary documentation within three days will result in termination of employment. Former employees who are rehired must also complete an I-9 Form if they have not completed one for the City within the past three years, or if their previous I-9 Form is no longer retained or valid.

2.10 TRAVEL & EXPENSE REIMBURSEMENT

It is the City's policy to pay for, or reimburse, all reasonable and necessary expenses incurred by employees on behalf of the City, including authorized travel on City-related business. An itemized expense report and supporting itemized receipts are required for all expenses and travel advances. Under no circumstances may travel and other expenses exceed Departmental or other applicable budgetary limitations.

Travel Approval & Cash Advances. All travel and associated expenses must be approved in advance by the appropriate supervisor(s). (The Mayor must approve the City Manager's business travel and expenses.) In certain cases, travel advances may be approved.

Transportation. The most efficient and economical mode of travel must be used. Approved mileage will be reimbursed at the current IRS-approved rate, plus tolls and parking fees. Mileage reimbursement is typically based on the net additional miles driven to the destination compared to the person's normal commute to the City of Princeton. Actual mileage readings or an electronic map printout showing mileage must be submitted for reimbursement.

Lodging. Overnight accommodations at luxury properties will normally not be approved. Booking of standard rooms, at the single room rate, at mid-tier properties is expected. Lodging and the nightly room rate must be approved in advance.

Meals. Meal expenses for travel outside the Princeton area will be reimbursed up to a maximum of \$50 per day, \$10.00 for breakfast, \$15.00 for lunch, and \$25.00 for dinner, excluding tips, with itemized receipts. Meals provided in the cost of training, seminars, or other events or that are provided for otherwise, are not reimbursable. In lieu of receipts, a \$10 per day meal allowance may be requested. Tips are reimbursed at the accepted practice rate, not to exceed 20%.

Incidental Expenses. Small expenditures under \$10, for things such as tips to bell hop, tolls, and drinks from a vending machine, for which receipts are not normally provided, will be reimbursed provided the employee provides a written explanation of why no receipt is provided.

Education, Training & Other Required Events. When the City requires an employee to attend an educational or training course, conference, seminar, or other event, the City will reimburse the employee for associated costs, including tuition or registration fees, authorized travel, meals and lodging. Unless

otherwise approved in advance by the City Manager, event and program registration fees will be paid by the City directly to the sponsoring organization.

Non-Allowable Expenses. Expenses or charges for the following will not be reimbursed and must be paid by the employee: in-hotel pay television and movies; personal entertainment and social activities; dry cleaning and laundry; health club and spas; expenses of a spouse; alcoholic beverages. Expenses not permitted under the terms of grants, contracts or other agencies will not be charged as costs to those grants, contracts or agreements. The City Manager's approval is required for reimbursement or expenditure for items not specifically addressed in this policy.

Expense Reports. A complete accounting of travel advances and expenses must be filed on the appropriate form within 10 business days following the end of a trip or the expenditure. Itemized receipts for all expenses must be attached and unexpended advance funds returned. Authorized expenses in excess of advance funds received will be reimbursed upon approval by the City Manager (or designee). If an employee fails to return unused advanced funds, the City will normally make the appropriate deduction from the employee's paycheck(s).

Compliance. Abuse of this policy, including falsifying expense reports or submitting false claims, will result in disciplinary action, up to and including termination of employment.

2.11 CITY IDENTIFICATION BADGES

Employees are issued ID badges when hired. Certain employees, including those who normally work outside City Hall, must display their City issued ID badge at all times. Badges are to be used only by the employee to whom they are issued.

Replacement of ID Badges. Employees whose ID badge is lost, stolen or damaged (beyond normal wear and tear) must immediately notify their supervisor. The employee's Department Head must request a replacement badge from HR. Employees may be charged for the cost of subsequent replacements.

Return of ID Badges. City ID badges are City property. Employees leaving City employment must turn in their badge to their supervisor or to HR. Departments must promptly return ID badges from departing employees to HR. Anyone who finds a City ID badge is to return it immediately to HR.

Forgotten lost/Damaged Badges. Employees who repeatedly forget, lose, damage (beyond normal wear) and/or fail to wear their ID badge to work are subject to disciplinary action, up to and including termination for egregious violations.

2.12 RECRUITMENT & HIRING

It is the City's policy to select, hire, and promote employees based on their knowledge, skills and abilities, experience, and other qualifications related to the duties and responsibilities of the job. The City's goal is to develop employees and promote from within whenever possible.

Recruiting Process. When a Department needs to fill a job, the Department Head will complete the appropriate form and forward it to HR. With the City Manager's authorization, HR will begin the recruitment and hiring process. Only those vacancies allocated in the annual budget or new positions created by the City Council may be filled. No applicant will be employed by the City unless the established recruitment process has been followed. Failure to follow this established recruitment process is a violation of City policy.

Announcement of Vacancies. Employment vacancies open for competitive consideration will be announced/advertised when and where HR deems most appropriate for the position. Existing City employees will normally be given the first opportunity to apply for job openings, and HR will normally

post job openings on the City's website and at City Hall. Eligible new applicants and those applicants listed on the Department eligibility list, if any, will constitute the pool of applications considered for job vacancies open to competitive consideration.

Announcements will normally specify, as appropriate, the job title, nature and requirements of the job, salary range, the deadline for submitting applications, and the location for filing applications. Each announcement will also contain a statement that the City is an Equal Opportunity Employer. An adequate period of time, as determined by the City, will be allowed in the selection process to ensure fair and open competition for the vacant position.

Method of Filing Vacancies. The City typically uses the following methods of recruiting and selecting qualified individuals to fill vacancies: promotion; lateral transfer; public announcement and competitive consideration of applications; selection from a valid current eligibility list; or demotion. Active recruiting by one Department from another should be approved in advance by the affected Department Head(s) and HR.

Applications. Anyone seeking employment with the City must complete and submit an application for the position desired. City applications officially received in the normal prescribed manner will be considered. All information set forth on an application is subject to verification. Unless the City's posting states otherwise, all applications received will be considered active for a period of sixty days, unless the application is being retained as part of an eligibility list. HR collects and screens applications and forwards qualified applications to the appropriate Department Head for review, evaluation, and recommendation.

Disqualification. Applicants and incumbent employees will be disqualified from consideration for one or more of the following:

- Failure to meet minimum qualifications for the position. (Including acceptable driving record if applicable);
- False statements or material omissions on the application, in a resume, or during the selection process;
- Commits or attempts to commit a fraudulent act at any stage of the selection process;
- Failure to timely complete the Employment Eligibility Verification Form (1-9) and present legally acceptable documentation establishing identity and employment eligibility;
- Is unable to perform the essential functions of the job (even with a reasonable accommodation);
- If previously worked for the City and was terminated, or resigned in lieu of termination, due to unsatisfactory performance or conduct and/or violation of City policy or procedure;
- Failing any of the City's background and employment requirements including, but not limited to, drug testing;
- If employment will violate the City's Nepotism policy;
- Is not 18 years old or older; or
- Any other reason deemed to be in the best interests of the City.

Selection. After the Department's interview, testing, and selection process is complete, the Department Head will notify HR of the recommended candidate(s). HR coordinates the background screening of final candidate(s). Final selections are made by the Department Head, subject to approval by HR. Job offers are made by HR contingent on the candidate successfully passing a drug screen and, in some positions, a physical agility test. Some employees may also be given offers conditional on passing a medical exam. See Health, Medical Exams, & Fitness for Duty Policy. All hiring decisions are made in accordance with the City's EEO Policy.

2.13 NEW HIRE ORIENTATION

All new employees participate in a “new-hire” orientation. The orientation will normally cover such topics as the nature of the job, the benefits, obligations and responsibilities of the position, and the general policies and procedures of the City and the new employee’s Department, City facilities and other departments, and other information helpful to the new employee. In addition, the City will obtain information needed for payroll, benefits, insurance programs, determining citizenship status, etc.

SECTION THREE: Pay & Attendance

3.1 PAYDAYS & PAYROLL

Payday. Employees are paid biweekly via direct deposit, normally every other Friday, for hours worked through the previous payday.

Payroll Deductions. Payroll deductions are routinely made for federal income tax, social security, TMRS retirement contributions, group health insurance premiums, life insurance, and other deductions required by law or authorized by the Mayor in consultation with the City Manager and/or the employee. Employees are normally required to provide a written authorization for payroll deductions. If child support or other mandated withholdings change, the employee must immediately notify Payroll and provide supporting documentation, which is subject to verification by the City.

Errors. Employees must carefully review their paystub and immediately report to Payroll any errors in hours worked, leave taken, or deductions and pay calculations before the next payroll cycle. It is the employee’s responsibility to immediately notify Payroll if they have not been accurately paid for hours worked or leave taken or if there is an improper payroll deduction. Any under or overpayments will be handled in accordance with applicable payroll procedures.

No Pay Advances. Paychecks will not be issued in advance. The City does not make pay advances or loans to employees.

3.2 ATTENDANCE, PUNCTUALITY & ABSENCE NOTIFICATION

The City expects employees to be reliable and punctual in reporting to work and to be at their workstations and ready to work at their scheduled start time and throughout their work day/shift. Absenteeism and tardiness are disruptive and burdensome. Either may lead to disciplinary action.

Notice Requirements.

- Absences and tardies must be reported **in advance** to the appropriate supervisor in accordance with Departmental procedures.
- Notice must be given each and every day/shift you are absent or tardy unless this requirement is expressly waived by either your Department Head or HR.
- If your Department does not have its own notification procedures, you must, as soon as possible but no later than 30 minutes before your scheduled start time, **personally notify the appropriate supervisor** on their office phone or City cell phone; if the supervisor does not answer, then leave a detailed message, including a call back number, and keep calling until you actually speak to a supervisor and personally tell them of your absence or tardy.
- Also send **a follow-up email and/or text** to your supervisor about your absence or tardy. Sending this email or text does not negate your responsibility to provide personal notification by phone to the appropriate supervisor.
- Notification by a coworker, friend or relative is not considered proper notice except in an extreme emergency.

- You must have supervisory approval to alter your work schedule, including arriving late, leaving early, or working through lunch.

Approval. An unapproved absence or tardy is unexcused. Use of paid time off, including sick leave and vacation, must be approved by the appropriate supervisor. Advance approval is normally required for the absence or tardy to be excused. A supervisor’s initial approval is, in some cases, subject to higher levels of review and approval within the Department and/or by HR.

Unexcused/Excessive Absences & Tardies. Unexcused and/or excessive absences will likely result in disciplinary action. Without timely and proper notice and any required documentation, an absence is unexcused and paid time benefits may not be allowed.

Payroll Reporting & Coding. When supervisors submit time each payroll period, they must normally apply the appropriate time off code, e.g., vacation, sick, or other paid time off, in accordance with policy, so that employees are paid to the fullest extent possible for that payroll period. Use of paid time off for payroll does not excuse policy violations or turn an unexcused absence into an excused absence. If an employee fails to submit FMLA paperwork, a doctor’s note, or other required documentation in support of an absence, then sick leave and other paid time off may be reversed and the absence coded as unpaid time off.

Exhausted Paid Leave. Absences in excess of accrued paid time off may be considered unexcused and/or excessive. If an employee has no paid time to cover an absence, employees should apply for an unpaid leave of absence and must do so if an absence will extend beyond three days (or two shifts for firefighters).

Job Abandonment. It is a serious breach of policy when employees fail to follow the City’s notice requirements when they are absent or tardy. Employees absent without proper notification and/or authorization may be treated as having abandoned their job and/or treated as a “no call/no show” and disciplined accordingly, up to and including termination of employment.

3.3 WORK SCHEDULES

Employees are expected to be at their workstations and ready to work at their scheduled start time. Your supervisor will provide you with the starting and ending time for your specific schedule. You are expected to cooperate when asked to work overtime or a different schedule.

Regular Work Hours/Workweeks/Work Cycles. The City’s normal workweek begins on Monday and ends on the following Sunday. The workweek or work cycle may, however, vary from Department to Department, from division to division, or even within a division. The City Manager designates the specific workweek or work cycle for nonexempt employees.

- **Fire Department.** Most nonexempt Fire Department personnel work a 24-hour shift every third day, based on a 28-day, 212-hour work cycle. However, some nonexempt Fire Department personnel may work a different schedule during the 28-day, 212-hour work cycle.
- **Police Department.** Most sworn Police Department personnel have a 14-day work cycle in conformance with established Department operating policies, the FLSA, and applicable Texas law. Non-exempt officer’s work 80 hours in each 14-day work cycle and are paid overtime after working 80 hours.
- **Other Employees.** The regular workday at City Hall normally begins at 8:00 a.m. and ends at 5:00 p.m., although employees in some Departments may have different work hours. Full-time, nonexempt employees normally work 40 hours in a seven-day workweek. Exempt employees may be required to work in excess of 40 hours per workweek in order to successfully fulfill their job responsibilities.

Adjustment to Work Hours. In order to assure the continuity of City services, it may be necessary for Department Heads, with the City Manager’s approval, to establish other operating hours for their Departments. Work hours and work shifts must be arranged to provide continuous service to the public in certain Departments, including Police, Fire, and Public Works. Employees are expected to cooperate when asked to work overtime or a different schedule. Any change to established work schedules must be authorized in writing and in advance by the appropriate Department Head (by the City Manager in the case of Department Heads and by the Mayor for the City Manager).

Off-the-Clock Work Prohibited. Non-exempt employees are prohibited from working “off the clock.” This means that no one, including supervisors, Department Heads, CMO, or City Council members, have the authority to direct or encourage a non-exempt employee to perform any work on behalf of the City without such work time being accurately and fully recorded in the City’s timekeeping system. If you feel you are being directed or encouraged to work “off the clock” you must immediately inform the CMO.

Time Management (Nonexempt Employees). Time missed by nonexempt employees for a valid and approved reason (such as a doctor or dentist appointment) may be made up during the same work week/cycle, i.e., “Time Managed,” if all of the following are met:

- The appropriate supervisor has given prior authorization to make up the missed time;
- The time missed is made up in the same work week (or work cycle);
- The make-up time does not cause the employee’s total hours for that week (or work cycle) to require payment of overtime; and
- The time is accurately recorded on the employee’s time records.

Supervisors are encouraged to use Time Management to minimize overtime.

Flex Leave (Exempt Employees). Exempt employees are often expected or required to work in excess of forty hours in a workweek but are not eligible for overtime pay. In recognition of this, Department Heads may periodically allow exempt employees to take off a single or partial day with pay, without requiring use of sick leave or vacation. Exempt employees must have their Department Head’s approval before taking this “flex leave”. Department Heads and other direct reports to the City Manager may use “flex leave” only with advance approval from the CMO. The City Manager may use flex leave upon approval by the Mayor. Flex leave cannot normally be combined with vacation, sick leave, or other paid time off. Flex leave is not normally provided on an hour-for-hour even exchange basis, and flex leave is not paid out when an exempt employee leaves City employment or at any other time.

3.4 ATTENDANCE & PAYROLL RECORDS

Leave & Other Absences. Employees and supervisors must work together to ensure that an employee’s use of vacation, sick leave, and other paid and unpaid time off are timely and accurately reported.

Review & Submission of Time Records. Every employee must accurately record and report time off and leave taken and report any errors in reported hours worked or leave taken to their supervisor before records are submitted for payroll processing. Time records for the prior week are normally due by 10 a.m. each Monday (or Tuesday if Monday is a holiday). Time records must be signed by both the employee and the employee’s supervisor. Signing your time records is your written acknowledgment that they are a complete and accurate record of all time worked and paid time taken. It is your responsibility to immediately notify Finance or HR if you have not been accurately paid for hours worked or leave taken.

Nonexempt Employees. Nonexempt employees must record their arrival and departure from work at the beginning and end of each work day/shift and also in and out for lunch and other extended breaks in accordance with established Departmental procedures. Non-exempt employees are prohibited from working “off the clock.” This means that no one, including supervisors, Department Heads, CMO, or City Council members, have the authority to direct or encourage a non-exempt employee to perform any work

on behalf of the City without such work time being accurately and fully recorded in the City's timekeeping system. If you feel you are being directed or encouraged to work "off the clock" you must immediately inform the CMO.

Exempt Employees. Exempt employees are expected to be at work during their scheduled work time unless they are approved off using their accrued leave or flex time. Exempt employees must record all time away from work, including the use of flex time.

Abuse. Falsifying or unauthorized tampering of time records is prohibited. Over and under reporting time worked or failing to record leave or other absences is also prohibited.

3.5 MEALS & OTHER BREAKS

Employees are expected to coordinate lunch and other breaks with their supervisor and co-workers so that City operations are kept fully functioning during normal work hours.

Lunch Breaks. Lunch breaks are normally thirty minutes to an hour and may be staggered to fully serve citizens and the City's other business needs. Except for certain police and firefighters, employees are not paid for meal breaks. Nonexempt employees are not to do any work during unpaid meal breaks. In the rare instances where this may occur, nonexempt employees will be paid for work time if they work during their meal break or if their break is interrupted due to a work-related reason. Employees may not shorten or extend meal breaks beyond the assigned period except on rare occasions and only with prior supervisor approval.

Other Breaks. Full time employees may, depending on their schedules and workloads, and with the prior authorization of their supervisor, take no more than two short, paid work breaks each day, one before lunch and one after. Supervisors, working with their Department Head, will decide when and if such breaks may be taken. Breaks cannot be longer than 15 minutes each and must be taken at the worksite. Abuse will result in the loss of break privileges and may also lead to disciplinary action.

Break Time for New Mothers. Nursing mothers will be provided unpaid, reasonable break time to express breast milk during the year following the birth of their child in accordance with applicable law. If employees need time beyond their usual lunch and break times (if any), they may use vacation or may make up the time as approved by their supervisor. Employees and supervisors are expected to agree, in advance, upon a schedule for breaks and how the time will be counted or made-up. A private room will be provided for nursing mothers to use. Employees who have a private office may use it if they prefer.

3.6 OVERTIME WORK & COMPENSATION (NONEXEMPT EMPLOYEES)

At times, the City's operational or other needs may require employees to work more than their regularly scheduled work hours. Overtime compensation is paid to nonexempt employees in accordance with federal and state wage and hour law. Exempt employees are not eligible for overtime pay.

Calculations. Generally, overtime is at the rate of 1½ times the employee's regular hourly rate for hours worked over 40 in a workweek. Fire and Police nonexempt personnel are paid overtime based on the work cycle adopted by their Department. If properly scheduled and approved in advance, paid holiday leave, if properly scheduled and approved in advance paid vacation leave, if properly scheduled and approved in advance compensatory time is considered hours worked for purposes of overtime, but time off for sick leave, civil leave, witness duty leave, bereavement leave, administrative leave, etc., is not. Similarly, vacation and holiday leave that have not been scheduled and approved in advance are not considered hours worked for purposes of computing overtime.

Assignments. When possible, advance notification of mandatory overtime assignments will be provided. Refusal or other failure to work mandatory overtime may result in disciplinary action. Overtime work is otherwise subject to the same attendance policies as straight-time work.

Authorization Required. Overtime work must be approved in advance by the Department Head. No overtime work may be performed unless provided for in the Department's budget unless it is specifically approved in advance by the CMO. The appropriate supervisor(s) must sign off on overtime on the employee's time records before it is submitted to Payroll. Nonexempt employees who work overtime without proper authorization are subject to disciplinary action.

Comp Time. While it is the City's preference to pay for overtime worked the City may sometimes provide comp time in lieu of paying overtime.

- **Caps.** All nonexempt employees, including police and firefighters, are subject to a maximum accrual of 40 hours of comp time (180 hours for full-time 24-hour shift firefighters) – no exceptions. Comp time accruals are to be monitored at the Department level with overtime hours beyond the established cap to either be paid or “time managed”. For most employees, comp time accrues at 1 ½ hours for every hour of overtime worked. Each Department is responsible for limiting comp time accruals to the capped amount.
- **Use and/or Payment.** An employee who requests to use comp time will be allowed to do so within a “reasonable period” as long as it does not “unduly disrupt” the work of the Department. If use would be disruptive, the Department may elect to pay the employee in lieu of approving the requested time off. The City may, at any time, pay all or some accrued comp time or require employees to take time off to reduce comp time accruals; provided, however, that for firefighters and police officers, the City may pay out all or a portion of comp time if both the employee and the City agree the time may be paid. Otherwise, time off using comp time may be used the same as other paid leave time. In some cases, the City may require employees to use accumulated comp time, e.g., when an employee takes FMLA leave.
- **Status Change.** Nonexempt employees promoted or demoted to another nonexempt position or reclassified to an exempt position will be paid for any accrued comp time at the time of such change.

Time Management. Supervisors are encouraged to use “Time Management” to minimize overtime. Time Management is the altering or flexing of a nonexempt employee's normal work schedule to account for time off or extra time worked by that employee within the same workweek or work cycle. See “Work Schedules Policy for Time Management” requirements.

3.7 EXEMPT & NONEXEMPT STATUS

Each employee is designated as either exempt or nonexempt from federal and state wage and hour laws. Employees are informed of their status when hired, or subsequently, if their classification changes. An employee's exempt or nonexempt classification may be changed only upon written notification by the CMO.

Nonexempt Employees. Nonexempt employees (other than certain Fire and Police employees) are normally entitled to overtime pay for hours worked in excess of 40 in a workweek under applicable federal and state laws. Most nonexempt fire suppression personnel are entitled to overtime pay if they work more than 212 hours in a 28-day work cycle in accordance with applicable federal and state wage and hour laws. In accordance with state law, certain Police Department employees are entitled to overtime pay if they work over 80.00 hours in a 14-day work cycle.

- **Working a Different Job with the City.** In limited situations and if authorized by the CMO, a nonexempt employee may voluntarily elect to work occasionally or sporadically on a part-time basis in a capacity different from their regular City job. The hours worked in the different job can

be paid on a “straight-time” basis and are not combined with hours worked in the employee’s regular City job for overtime calculations, or as otherwise directed by the CMO.

- **Volunteering for the City.** Nonexempt employees may elect to volunteer with the understanding that the time is not considered work time and that they will not be paid. Nonexempt employees may only volunteer if the volunteer work is not similar in any way to the duties they perform in their regular paid job for the City. Employees cannot volunteer their services to the City within their own Department under any circumstances. Typically, employees are required to sign an Employee Volunteer Acknowledgement and Agreement Form before they can perform volunteer work for the City. Employees will not be penalized in any way if they elect not to volunteer.

Exempt Employees. Exempt employees are not covered by applicable wage and hour laws. Accordingly, exempt employees are not entitled to overtime compensation. Exempt employees are expected to put in the hours necessary to complete their assignments in an acceptable and timely manner. Employees who are classified as exempt by the City are regularly scheduled to work forty hours or more each week; these employees receive a fixed salary as compensation for all hours worked in a week, even though the number of hours worked may fluctuate each week.

Public sector employers are permitted to make certain types of salary deductions pursuant to the notion that public employees should not be paid for time they do not work that is not otherwise guaranteed to them. Under the principles of public accountability, the City may make deductions from the salaries of exempt employees for partial days’ absences under certain circumstances. Exempt employees are also subject to salary deductions for the following:

- Absences of one or more full days before eligibility under a City plan, policy, or practice or after paid leave accruals have been exhausted;
- Suspensions for violations of safety rules of major significance;
- Suspensions of one or more full days for violations of workplace conduct rules, such as rules against sexual harassment and workplace violence;
- Payment of actual time worked in the first and last weeks of employment, resulting in a proportional rate of an employee’s full salary;
- Unpaid leave taken under the Family and Medical Leave Act; and
- Negative paid-time-off balances, in whole-day increments only.

Deductions from exempt employees’ pay are not allowed without written authorization from the CMO. Currently, no deductions will be made from an exempt employee’s salary for absences, whether for a full or partial day, if the absence is caused by the City or by the operating requirements of the City, e.g., if City Hall is closed due to bad weather; if City Hall is closed for Thanksgiving, Christmas, or other holiday recognized by the City; or if there is no work to be performed. Further, exempt employees are currently paid for absences caused by jury duty, attendance as a witness, or temporary military leave, although the City may require exempt employees to use paid time off benefits to cover these absences. The City may also offset an exempt employee’s salary by the amount the employee receives in jury or witness fees, or military pay. This policy is subject to the general rule that employees will not be paid for any workweek in which they perform no work unless paid leave time is available.

Mandatory Reporting of FLSA Violations. It is City policy not to make improper deductions from employees’ pay. It is also City policy not to retaliate against an employee for filing a complaint under or related to the FLSA. Any employee who knows of (or suspects) a possible violation of this policy must immediately notify the CMO in writing. The City will make prompt reimbursement for any improper deduction, will make a good faith commitment to comply in the future, and will take prompt action to stop any prohibited conduct.

3.8 ON CALL & CALL OUT

The City provides for after-hour service needs by allowing some Departmental operations to designate certain employees to be on call. Employees designated to be on call are expected to respond to Departmental after-hour service needs as required by procedures established by their Department. In all cases, employees must report their actual hours worked on their time records. Exempt employees are not entitled to any additional compensation for being on call or for being called out.

Emergency Situations. Call outs are used to respond to emergencies where life is threatened or the welfare of the public is at risk and immediate assistance of off-duty employees is required. Examples include major fires, accidents, and other life-threatening emergencies, as well as a ruptured water or wastewater main or a requirement to respond to storm damage jeopardizing public safety.

Return to Work Provisions. After regularly scheduled working hours, on-call employees are free to pursue personal activities but must respond to a call back within designated guidelines set by their Department. Employees designated as on call must be fit, both mentally and physically, to accomplish call out services needed within the time frame required.

Departmental Policies. An employee is considered officially scheduled and designated as on call only when approved by their supervisor in accordance with procedures established by their Department. Departments may establish guidelines for varying levels of response to call out situations depending upon the nature and importance of the services to be completed.

Public Works Department. Nonexempt Public Works Department employees are compensated under this policy as follows.

- **Designated On-Call Employees.** On-call status is not considered time worked and is not compensable unless the employee has left their normal place of work for home and actually responds to a call-out. A call-out does not include time when an employee is called into work early. Employees called out will be paid a minimum of 2 hours at their regular hourly rate; if actual time worked is greater than 2 hours, employees will be paid for all actual call-out hours worked. On-call employees who do not return to the workplace but who handle a workplace issue by phone or email will be paid only for actual time worked.
- **Employees Called Out Who are Not Designated On Call.** Employees who are called out but who are not designated as on call at the time of the call-out will be paid 1½ times their regular hourly rate for time spent responding to an emergency.
- **Travel Time.** Travel time to and from a call-out is not compensable under this policy.

Responding to Texts, Emails, Etc. When Not On Call. Nonexempt employees who are not designated as on-call are not authorized to work outside their normal work schedule without prior authorization. This means that nonexempt employees are generally not to check or respond to emails, texts, or other communications while off-duty.

3.9 INCLEMENT WEATHER/EMERGENCY CLOSING

Except for extraordinary circumstances, City offices DO NOT CLOSE during normal business hours. This means employees are expected to make a sincere effort to report to work during severe weather conditions or other emergency situations. Many City Departments provide essential services and have designated employees who must report to work regardless of adverse weather or other conditions.

Princeton ISD Determination. During the school year, the City normally follows the Princeton ISD with regards to closing of most City facilities. Employees are encouraged to check local radio stations and television stations for announcements. If Princeton ISD announces school closings due to inclement weather, the City will also close public facilities. Essential personnel will remain on duty and/or must report to work during inclement weather closings as set out below.

Communication. Employees are to keep in contact with their supervisor and check other applicable City communication sources (e.g., the City’s website and social media pages) to stay updated on modified hours and other important information. Non-essential employees who cannot report to work due to dangerous driving conditions or other emergency, they must timely communicate with the appropriate supervisor, report the circumstances, and plan to report to work if conditions improve.

Pay for Individual Time Missed. If an employee’s request for time off is approved, the supervisor may approve vacation or comp time, or allow the employee to flex their time using Time Management or Flex leave. Otherwise, the time missed will be unpaid (in accordance with applicable wage and hour laws).

Essential Personnel. The CMO, working with Department Heads, designates essential personnel who must report to work even when other City Departments, offices, or functions are officially closed. Essential personnel who fail to report to work as scheduled may be subject to disciplinary action up to and including termination of employment. Department Heads must ensure their Department is staffed while City offices are open for business. Any City service that cannot be provided during severe weather or other emergency must be immediately reported to the City Manager.

3.10 CLOSING OF CITY FACILITIES

In certain instances, such as a facility or City emergency or City-wide staff training, the CMO and/or the Mayor, may close certain City facilities and/or Departments. Closings of this nature will be announced via the City’s website and social media pages.

3.11 TEMPORARY ASSIGNMENT PAY

The City sometimes provides additional compensation to those employees temporarily assigned to serve, and who actually do perform the full range of additional duties and responsibilities of a higher-level position, when so designated by the CMO. If, however, the temporary assignment is made for the purpose of learning the position, i.e., as on-the-job training, then employees are not compensated at a higher rate. Temporary assignment pay, if authorized, must be properly entered into the payroll system each time an employee is designated to serve in a temporary assignment position and does, in fact, perform the full range of additional duties and responsibilities. Department Heads must provide approval on the appropriate form and submit the form to HR and Payroll for processing. Employees are expected to fully cooperate when assigned to serve in a higher-level position.

3.12 LONGEVITY PAY

The City provides regular full-time and regular part-time employees longevity pay, at the rate of \$5.00 per month. The maximum accrual for longevity pay is 25 years of service. Longevity is normally paid in a lump sum around the time of the Thanksgiving holiday. Longevity payments are prorated if an employee does not work a full year.

3.13 TUITION REIMBURSEMENT

The City offers tuition reimbursement to regular full-time employees who have successfully completed six months of employment. Tuition reimbursement is available for both undergraduate and graduate courses (excluding doctoral studies) if the course is directly related to the employee’s City job and is determined to be in the City’s best interest. Employees are encouraged to take advantage of tuition reimbursement to further their education to benefit themselves, their department, and the City.

Employment Commitment. In exchange for the City's commitment to tuition reimbursement, the City requires participating employees to commit to continued employment for two-years following completion of the most recent course for which reimbursement was paid. An employee who voluntarily leaves or is terminated “for cause” (as determined by the City) before two years must reimburse the City for 50% of

the prior two semesters of reimbursement received. Employees terminated due to a reduction in force or reorganization are not required to reimburse the City. Requests for exceptions to this policy must be made in writing to your Department Head, although the final decision rests with the CMO.

Requirements for Participation & Reimbursement.

- Employees must have an approved Tuition Reimbursement Request & Repayment Agreement on file with HR and must timely submit requests for reimbursement to their Department Head and to HR using this same form. This completed form must be submitted to HR no later than 5 days following your registration for the class. To be certain that the course will qualify for reimbursement, you should, however, get approval from both your Department Head and HR *before* you register.
- Once you have completed the course, you must submit the appropriate paperwork (*e.g.* grade report and receipts) for final approval to HR. This must be done within 30 days of the final grade report or you will not be eligible for reimbursement. Once final approval is made by HR, HR will forward to Finance for payment.
- Employees must demonstrate that courses are from an accredited institution such as a college, university, technical or business school (continuing education courses do not qualify) and listed in the database of the U.S. Department of Education's Office of Postsecondary Education <http://ope.ed.gov/accreditation/Search.aspx> or The Council for Higher Education Accreditation (CHEA) <http://www.chea.org> The City may have additional requirements and restrictions in regard to schools and classes eligible for reimbursement, *e.g.*, in-state versus out of state schools, profit verses non-profit schools, and virtual schools.
- Courses taken must be job-related and a requirement of an official degree plan. If a degree plan is not yet available, the employee must submit the relevant academic catalog outlining the requirements for a particular degree.
- Reimbursement is made pursuant to §127 of the Internal Revenue Code, which covers employer-provided educational programs. The City will reimburse up to the maximum non-taxable amount allowed in a calendar year. The maximum number of credit hours for which reimbursement will be made is up to 130 credit hours for an undergraduate degree and 48 credit hours for a graduate degree.
- Reimbursement for tuition, lab fees and other mandatory fees will be considered for reimbursement. Textbooks, supplies, parking, meals, extracurricular activities, and any course where credit is given for work experience or work history will not be reimbursed. Similarly, costs for testing or placing out of actual course work will not be reimbursed.
- The amount of reimbursement is based on in-state tuition at a state-supported Texas school, as follows:
 - 100% of applicable tuition and fees for receiving a grade of "C" or higher in undergraduate courses and a grade of "B" or higher for a graduate course.
 - 50% of applicable tuition and fees for pass/fail courses receiving a grade of "pass" in the course.
 - No reimbursement will be paid for a grade of "C" or lower in a graduate course or a grade lower than a "C" in an undergraduate course.
- Reimbursement will not be made for amounts paid by another source (*e.g.* grants [including Pell grants], scholarships, veterans' benefits, public safety programs, social security benefits, etc.). Employees cannot "double dip" on tuition reimbursement benefits. Doing so is considered theft.
- Special authorization must be obtained from your Department Head and HR to continue classes if you are out on FMLA, workers' comp, a leave of absence, administrative leave, or any other leave.
- Employees must still be employed by the City at the time reimbursement is to be made.
- The City may impose additional requirements as appropriate.

Class Schedules. Except for under unusual circumstances, and at the written consent of their Department

Head and HR, employees must schedule classes so that attendance and coursework do not adversely interfere with their normal work schedule or their job performance. If there is a conflict between class and job responsibilities, the employee's job must come first.

Availability of Tuition Reimbursement Funds. Tuition reimbursement funds is dependent upon the City's annual budget approved by the City Council.

SECTION FOUR: Time Away From Work

4.1 LEAVE – GENERAL PROVISIONS

The City recognizes that employees need time away from work to help balance their work and personal lives. The City has paid leave policies to assist eligible employees financially when they take time off for vacation, sick leave, holidays, bereavement, jury duty, certain court appearances, certain military leave, and other approved uses, e.g., obtaining a vaccine or quarantining during a pandemic. Employees are accountable and responsible for managing their own leave balances to ensure adequate reserves to cover vacation, illness/injury, appointments, emergencies, and other situations requiring time off from work. The following provisions apply generally to most of the City's leave policies and paid time off benefits.

Use. Employees who are absent, whether for all or part of a day/shift, are expected to use paid leave to cover their absence, unless their supervisor has expressly authorized otherwise. In some cases, supervisors may allow nonexempt employee to use "Time Management" and exempt employees to use "flex leave" rather than use their accrued paid leave. (See Work Schedules Policy.) In some circumstances, employees may be approved to take unpaid leave. (See Unpaid Leave of Absence Policy.)

Leave Requests & Approval. Requests for leave must be made to the appropriate supervisor as far in advance as possible in accordance with Departmental procedures. Employees and their supervisors must ensure that leave is accrued and available for use in the amounts requested by the employee. Leave requests must be approved by the employee's supervisor. Department Heads and other direct reports must submit their leave requests to the CMO). (The City Manager must submit leave requests to the Mayor.) If a Department has not designated the time frame for submission of leave requests, then the deadlines set out in the Manual apply. Advance approval is not required in situations where advance notice is not possible, e.g., unscheduled sick leave, bereavement, etc. Employees and supervisors must accurately report employee absence and pay information. A supervisor's initial approval may, in some cases, be subject to higher levels of review and approval within the Department and/or by HR. Employees are expected to cooperate fully in the City's process.

Leave Forms & Payroll Records. Both employees and their supervisors are responsible for ensuring that all leave time, both paid and unpaid, is properly recorded on the time sheets submitted to Payroll. Department Heads are responsible for ensuring that copies of approved leave forms are timely turned into HR.

Scheduling. Whenever possible, leave requests will normally be scheduled at the convenience of employees. In some cases, however, requests for leave may be denied or rescheduled due to staffing and operational needs, or other factors. Department Heads are responsible for ensuring that Departmental functions are appropriately staffed and must authorize leave accordingly.

No Advances of Paid Leave. Employees cannot "borrow" unearned vacation, sick time, holiday leave, or other paid time off. Paid time off may not be transferred from one employee to another, except as specifically provided for in the City's "Donated Leave Policy".

Unauthorized Absence May Jeopardize Paid Leave. In most cases, an unauthorized absence on either the day/shift immediately before or after a nonexempt employee's authorized paid leave may render the employee ineligible for paid time off benefits for the previously authorized time off. Employees who fail

to timely report to work upon being released by their health care provider will normally be considered to be a no call/no show, unless prior arrangements have been made with HR and/or their Department.

Changes in Leave Designation. Leave designations cannot be retroactively changed except as specifically authorized as set out in the Manual or unless authorized in writing by the employee's Department Head or HR.

Holidays During Approved Leave. Official City holidays (and for certain Police and Fire Department employees, previously scheduled holidays) during an approved paid leave will normally be treated as a paid holiday, rather than a day of other paid leave, if the employee is eligible for the paid holiday. Employees on unpaid leave are not eligible for holiday pay.

Exempt Employees. Except in accordance with applicable wage and hour laws, the City will not reduce an exempt employee's pay for absences of less than a day, and the employee may be required to use paid leave time for their missed time. If they have no paid leave time or if paid leave time, including flex leave, is not authorized, they may be required to make up the missed time. Excessive time away from work may also result in disciplinary action.

Compensation for Paid Leave. Paid leave is paid at the employee's regular base rate at the time of the leave. It does not include overtime or any special forms of compensation. Paid leave is provided only for that time the employee would ordinarily have worked.

Other Employment During Leave. With the exception of vacation leave, employees on leave may not work a second job (including authorized part-time jobs coordinated through the Police Department) during their absence, even if they have written authorization to work a second job. This prohibition applies until such time as the employee reports back to work following their absence. Specific exceptions to this policy must follow the requirements set out in the City's "Outside Employment Policy".

Overtime Calculations. Normally, only time actually worked is considered when determining eligibility for overtime pay. However, if properly scheduled and approved in advance, then time off for paid holiday leave, vacation leave and compensatory leave is counted when calculating overtime.

Payment for Unexcused Absences. In some cases, the City may go ahead and pay an employee vacation, sick, holiday, or other paid leave time even if the employee has not complied with policies and procedures applicable to paid leave time. Payment of leave time does not excuse the employee from policy violations or mean that an otherwise unexcused absence becomes excused.

Requesting a Leave of Absence. Absences in excess of accrued paid time off may be considered unexcused and/or excessive. If an employee has no paid time to cover an absence, employees should apply for an unpaid leave of absence and must do so if an absence will extend beyond three days (or two shifts for firefighters).

Leave "Days". For purposes of paid time off accruals and leave, a "day" for regular full-time employees is 8 hours; for 24-hour shift firefighters, a "day" is 12 hours.

Leave Accruals. Vacation, sick leave, and other paid time off only accrues during pay periods in which an eligible employee works and/or is on an approved pay status for 80 hours; and, for 24-hour shift firefighters, the requisite number of scheduled hours).

Carryover. If an employee is required to work on what would otherwise have been a scheduled and approved vacation day or holiday, the City will make an exception to its annual carryover limitations and/or pay the employee for the forfeited vacation or holiday hours, with the written approval of HR and the City Manager.

Long-Term Absences. Use of leave and other absences are governed by the City’s “Long Term Absences” Policy.

Policy Violations. Payment of paid leave benefits does not excuse policy violations or mean that an otherwise unexcused absence becomes excused. Absences in excess of accrued time off may be considered excessive (unless covered by a current FMLA Certification). Abuse of leave or other violation of any of the City’s leave of absence policies may result in disciplinary action and/or render the employee ineligible for pay and other leave benefits.

4.2 VACATION LEAVE

Vacation leave is paid time off from work for leisure, personal business, to extend other paid leave (*e.g.*, sick and bereavement), FMLA leave, to cover a bad weather day when the City is not officially closed, or for other approved reasons.

Eligibility & Accrual. Only regular full-time positions are eligible to accrue and use vacation leave. Eligible new-hires begin accruing vacation during their first full pay period, but may not use vacation until they have successfully completed their new hire probationary period. Vacation is forfeited if employment ends during the new hire probation period.

Accrual Rate for Regular Full -Time Employees. Accrual rates are based on length of service, as follows:

- **0 to 24 months** – 3.07 hours per pay period (up to 80 hours per year)
- **25 to 48 months** – 4.61 hours per pay period (up to 120 hours per year)
- **49 to 120 months** – 6.15 hours per pay period (up to 160 hours per year)
- **121 to 180 months** – 7.69 hours per pay period (up to 200 hours per year)
- **Over 180 months** – 9.23 hours per pay period (up to 240 hours per year)

Accrual Rate for 24-Hour Shift Firefighters. Accrual rates are based upon the length of service, as follows:

- **0 to 24 months** – 4.61 hours per pay period (up to 120 hours per year)
- **25 to 48 months** – 6.92 hours per pay period (up to 180 hours per year)
- **49 to 120 months** – 9.23 hours per pay period (up to 240 hours per year)
- **121 to 180 months** – 11.53 hours per pay period (up to 300 hours per year)
- **Over 180 months** – 13.85 hours per pay period (up to 360 hours per year)

Vacation Day. A vacation day is 8 hours. For 24-hour fire shift employees, a vacation day is 12 hours.

Minimum Increments. Vacation leave must normally be scheduled in 1-hour increments unless otherwise approved by the Department Head or CMO. Fire Department employees may take vacation in minimum increments of 4 hours.

Requests. Employees must request vacation leave from the appropriate supervisor as far in advance as possible, but at least two weeks in advance unless Departmental guidelines require something different. Advance requests are not required in emergencies or as may be permitted for FMLA purposes. Requests are made using the appropriate City leave form. Employees who take excessive last minute, unscheduled vacation leave may be denied the paid time off and may also be disciplined.

Approval. Whenever possible vacation will be scheduled at the convenience of employees. However, supervisors must ensure that time off does not interfere with normal functions and operations of their Department and the City. To ensure proper payment and recordkeeping, employees must make sure their vacation request is approved by their supervisor and Department Head before taking vacation.

Maximum Accruals/Carryover/Forfeiture. Employees are encouraged to use their vacation time. The maximum carryover from one calendar year to the next is 160 hours, and hours in excess of the maximum carryover are lost on January 1st, except as expressly authorized, in writing, by the CMO. The CMO may allow excess carryover only if the needs of the City or Department at the end of the year preclude the taking of a scheduled vacation. All approved vacation carryovers must be forwarded to Payroll before January 1st of each year.

Vacation Buy Back. Employees may be permitted to sell back up to 80 hours of unused vacation per fiscal year. Vacation buy back requires the written approval of the Department Head, HR, and the City Manager. Vacation buy backs will only be approved if they do not adversely impact the Department's and/or the City's budget.

Vacation Donations. Employees may donate vacation time to other employees in accordance with the City's Donated Leave Policy.

4.3 SICK LEAVE

Sick leave is paid time off for absences due to medical conditions that prevent employees from working, for necessary doctor or dentist visits or other medical appointments, and to care for certain family members who are ill or injured.

Eligibility & Accrual Rates. Employees hired to fill regular full-time positions are eligible for and can use paid sick leave. Eligible employees are granted 32 hours of sick leave on January 1 of each year; 24-hour shift firefighters are granted 48 hours of sick leave. New hires receive a prorated award of sick leave as calculated by Finance. Eligible employees can use sick leave upon accrual.

Minimum Increments. Sick leave must normally be taken in minimum increments of one hour.

No Carryover. Sick leave does not carry over from year to year. Any sick leave not used by December 31st is lost.

Requests & Notification. Employees must request sick leave from the appropriate supervisor as far in advance as possible for foreseeable absences and within the time limits established by their Department for unforeseeable absences. Notice must be given in accordance with the City's Attendance, Punctuality and Absence Notification Policy and must be given each and every day/shift of an absence unless their Department Head or HR expressly waives this requirement.

Authorized Use. Sick leave cannot be used to attend to personal business. Employees may use sick leave for:

- their own medical condition if it prevents them from working;
- for their own doctor, dentist, and other medical appointments (and for that of their child, parent, or spouse) that cannot be scheduled outside of work hours;
- to care for an ill child, spouse, or parent who cannot care for themselves; or
- required medical quarantines.

Supporting Documentation for Sick Absences.

- **For Sick Absences.** Employees may be required to provide documentation from a doctor (or other health care provider) with sufficient detail to establish their inability to work after three days (2 shifts for firefighters) of absences or at any other time if requested by the City.
- **For Doctor/Dentist/Other Medical Visits.** Employees may be required to turn in a note verifying follow-up, preventative, or similar absences for doctor, dentist, and other health care provider visits. Unless the note specifically provides otherwise, an employee is only excused for a reasonable amount of time to travel to and from the appointment and time at the appointment.

A note that just says the employee had an appointment or was seen is not sufficient and does not excuse the employee for an entire day/shift. A doctor's note is not normally required for an absence covered by a current FMLA certification on file with HR. An employee using sick leave for a family member may also be required to present satisfactory proof of family relationship. The City may require a "fitness-for-duty" certification before an employee can return to work after using sick leave. Employees must turn in required documentation to their supervisor and/or HR before returning to work. If required documentation is not timely submitted, then use of sick leave will be disallowed and no other paid leave may be used for the absence.

Abuse of Sick Leave. Employees using sick leave for their own medical condition or that of a family member are expected to use the time away from work to recuperate or care for their family member. Brief limited errands, trips to the doctor, hospital stays/visits, or similar absences are permissible, but other activities, such as out of town travel, vacations, shopping excursions, going to movies and restaurants, and other social activities will generally be considered an abuse of this policy. Prior approval for such activities should be obtained from the employee's supervisor and/or HR.

Use of Other Leave. If approved by HR, employees must use any available Extended Sick Leave and then vacation leave if they are out of sick leave. A paid holiday that falls during an employee's paid sick leave will normally be paid as a holiday and not charged to sick leave. If an employee is on an approved vacation leave and becomes ill, sick leave may, in the City's sole discretion, be substituted for the approved vacation time provided appropriate medical documentation is timely submitted to HR.

FMLA Leave. An absence that qualifies as both FMLA and sick leave will normally be counted as both. If an employee is asked to complete and turn in an FMLA Certification but does not do so in a timely manner, the absence(s) will be unexcused and neither paid sick time or other paid time off benefits can be used.

No Payment for Unused Sick Leave. Employees are not paid for unused sick leave upon separation of employment or at any other time.

Return to Work. Employees who fail to timely report to work upon being released by their health care provider will normally be considered to be a no call/no show, unless prior arrangements have been made with HR and/or their Department.

4.4 EXTENDED SICK LEAVE

Regular full-time employees who have successfully completed their new-hire probation period are eligible to use extended sick leave.

Accrual. Regular full-time employees accrue 8.7 hours of extended sick leave for each full month worked, up to a maximum annual accrual of 104.4 hours per year and a total maximum accrual cap of 720 hours; firefighters on 24-hour shifts accrue 13.05 hours for each full month, up to a maximum accrual of 156.6 hours per year and a total maximum accrual cap of 1,080 hours. Once an employee reaches the total maximum accrual cap, accruals will stop until such time as the employee's balance falls below the cap.

Authorized Use. Extended sick leave can be used for the following:

- **Illness or Injury** – Illness, injury or medical condition (including legal quarantine, pregnancy, and childbirth) of the employee, their child, parent or spouse, but only after fulfilling a "waiting period". Employees must be unable to work for 16 consecutive hours (24 hours for firefighters on 24-hour shifts) of scheduled work time before using extended sick leave. Available sick leave, vacation, comp time or personal holiday must be used to fill the waiting period. Any part of the waiting period that the employee cannot fill with available paid time off will be unpaid.

- **Hospitalization** – Immediately upon admission to the hospital of the employee, or their child, parent, or spouse.

Benefit Accruals. After 42 calendar days (63 calendar days for firefighters on 24-hour shifts) of continuous use of extended sick leave, an employee will no longer accrue vacation, sick leave, or extended sick leave.

Documentation. Employees must present satisfactory proof of the illness, injury or medical condition, including pregnancy and childbirth, that prevents them from working whenever they request to use extended sick leave and as may be requested periodically by the City. At a minimum, this will include a doctor’s written explanation of the medical reason for your absence, why you are unable to perform your job duties, and when you expect to return to work. Any change in this information must be promptly reported, in writing, to HR. The City may require an initial or second opinion from a doctor of its choosing.

4.5 DONATED LEAVE

The City values its employees and realizes that from time to time they (and their eligible family members) may have medical conditions which may necessitate an absence in excess of accrued paid time off. Under the City’s Donated Leave Policy, employees may donate a portion of their vacation leave and/or extended leave to eligible employees to use for absences due to catastrophic illness/injury, surgery, or disability. Use of Donated leave is subject to the provisions of the City’s Sick Leave Policy.

Eligibility. Regular full-time employees are eligible to donate and to receive Donated Leave. Only employees who have exhausted all their available sick, vacation, and comp time are eligible to receive Donated leave. Employees eligible for and/or receiving workers’ compensation income benefits are not eligible for Donated Leave.

Donations. Eligible employees may donate up to a maximum of 40 vacation hours each calendar year to other regular full-time employees. A maximum of 1,020 hours of leave may be donated to a receiving employee per event (as calculated by HR). Donated leave is deducted from contributing employees’ vacation accruals and/or Extended Leave, and added to the receiving employee’s sick leave balance. Exceptions may be made, on a case-by-case basis, to the City’s “use it or lose it” provision in the Sick Leave Policy for employees who have received donated leave under this Donated Leave Policy. In other words, receiving employees may be allowed to carry over donated leave in their sick leave balance on December 31st in certain circumstances.

Documentation. HR may require additional medical information or documentation in order to approve transfers and use of Donated Leave, including periodic updated certifications of Illness/Injury. Employees must provide their health care provider and the City with whatever authorizations are required for the exchange and sharing of information as necessary for HR to determine initial and ongoing eligibility and to make decisions regarding Donated Leave.

Review & Approval. HR reviews Donated Leave requests on an individualized basis and may consult with medical professionals as appropriate. In addition, the City may also consider other factors when approving or denying Donated Leave requests, including the nature of the employee’s (or family member’s) health condition; the employee’s length of employment, past performance, disciplinary and attendance history (including prior utilization of Donated Leave); the likelihood that the employee will be able to return to their regular job duties within a reasonable period of time; the employee’s eligibility for long-term disability, if any; and other relevant factors. Typically, absences due to elective surgery are not eligible for Donated Leave. Use of Donated Leave may be revoked at any time if the employee fails to cooperate with the City in any way.

Abuse. Abuse of this policy will likely render the employee ineligible for future or current Donated Leave time and will also likely result in disciplinary action, up to and including termination of employment.

Sick Leave Policy. Refer to the City’s Sick Leave Policy for other requirements governing the use of sick leave.

4.6 HOLIDAYS

It is the City’s policy to permit as many employees as possible to enjoy a day off on a City scheduled holiday. Eligible employees receive holiday pay for scheduled holidays or are given an alternative day/shift off with pay as set out in this policy.

Eligibility for Paid Holidays.

- **Regular Full-time Positions.** Employees in regular full-time positions are eligible for holiday pay after the completion of one day/shift of work.
- **Regular Part-time Positions.** Employees in regular part-time positions who are regularly scheduled to work on a day the City is closed for a scheduled holiday will normally be paid for the hours they would have worked had the City not been closed.
- **Other Employees.** Most other employees will be given scheduled holidays off, but without pay. If required to work, these employees will be paid their regular rate of pay for hours worked on the holiday.

Ineligibility. Employees on unpaid leave are not eligible for holiday pay. Nonexempt employees with an unexcused absence on the work day/shift immediately before and/or after a scheduled holiday will normally not be paid for the holiday unless they actually work on the holiday.

Scheduled Holidays. The City recognizes the following holidays each year: New Year’s Day (Jan. 1); Martin Luther King’s Birthday (3rd Monday in Jan.); President’s Day (3rd Monday in Feb.); Good Friday (Friday before Easter); Memorial Day (last Monday in May); Juneteenth (June 19); Independence Day (July 4); Labor Day (1st Monday in Sept.); Columbus Day (determined by calendar); Veterans’ Day (determined by calendar); Thanksgiving (two days – 4th Thursday & Friday in November); Christmas Eve & Christmas Day (two days); and such other holidays as the City Council may declare.

Birthday/Personal Holiday. Full-time employees employed on January 1 are also provided a birthday/personal holiday that can be scheduled subject to supervisory approval. New employees hired after January 1st are provided one birthday/personal holiday in their year of hire, but it cannot be used until they have successfully completed their new hire probationary period; this means that, in some cases, new hires may not be able to use a birthday/personal holiday since holidays cannot be carried over to the next calendar year. Part-time employees are not eligible for birthday/personal holidays.

Other Holidays. Employees are expected to use their personal holiday to celebrate or recognize religious or national holidays that are not a scheduled City holiday. Otherwise, employees should request an approved absence for the holiday. If approved, employees must use vacation if available and, if not, then available comp time; otherwise, the supervisor may approve use of leave without pay. Employees must make their requests in writing to the appropriate supervisor at least two weeks before the requested time off. The City may require the employee to support their request with acceptable documentation.

Calculation of Holiday Hours. For pay administration and accrual purposes, a holiday for full-time employees is normally a period of 8 hours (12 hours for 24-hour fire shift employees), paid at the employee’s regular rate. The administration of paid holidays for employees assigned to alternate work schedules will be in accordance with payroll procedures established by HR and Payroll.

Scheduling. Employees may be required to work on a scheduled holiday.

- **Weekend Holidays for Monday through Friday Operations.** In work groups that operate only on Monday through Friday, holidays that fall on Saturday will normally be observed on the preceding Friday and those that fall on Sunday will normally be observed on the following Monday.
- **Employees Scheduled “Off-Duty” on a Holiday.** When a holiday and a shift employee’s regularly scheduled day off occur on the same day, the employee will be given an alternate day/shift off with pay or will be paid for the holiday at their regular hourly rate of pay.
- **Police & Fire Employees Scheduled to Work on a Holiday.** Employees required to work on a holiday will be given an alternate day/shift off with pay or will be paid for the holiday at their regular hourly rate of pay, plus they will be paid for the number of hours actually worked.
- **Nonexempt Employees Called in to Work on a Holiday.** Employees (other than Police and Fire) called in on an emergency basis to work a holiday will be paid for the holiday as set out in this policy, but will also be paid 1½ times their normal hourly rate for the number of hours actually worked on the holiday.
- **No Carryover.** Except for certain police and firefighters, employees cannot carry over unused holiday time from one calendar year to the next. Carryover is limited to police and fire department employees required to work on a holiday at the end of the year and who are unable, as determined by the Chief, to use the holiday(s) before December 31.

Police Department Employees. In addition to the other provisions of this policy, the following applies to 12-hour shift employees:

- **Scheduling.** Employees may schedule, but may not use a holiday, until the holiday actually occurs. If you take off on a holiday, you must use accrued holiday time to the extent you have it. Holidays must be used within 12 months of their accrual or they will be lost.
- **Carryover.** Unused holidays may be carried over from one calendar year to the next, but will be lost if not used within 12 months of being accrued.

Fire Department Employees. In addition to the other provisions of this policy, the following applies to Fire Department employees:

- **Accruals.** 24-hour shift personnel accrue a maximum of 168 hours of holiday leave (includes personal holidays) each calendar year.
- **Scheduling.** Employees may schedule, but may not use a holiday, until the holiday actually occurs (except for at the end of the year holidays). If you take off on a holiday, you must use accrued holiday time to the extent you have it. Holidays must be used within 12 months of their accrual or they will be lost.
- **Carryover.** Unused holidays may be carried over from one calendar year to the next, but will be lost if not used within 12 months of being accrued.
- **September 11th Holiday.** To comply with state law, the City has designated Labor Day as the September 11th holiday for Fire Department employees.

Holidays During Other Leave.

- **Vacation, Sick, & Other Paid Leave.** A holiday falling within an employee’s approved vacation, sick, or other paid leave will normally be counted as holiday rather than other paid leave.
- **Worker’s Comp Leave.** Employees on an extended worker’s comp leave are paid their regular salary continuation benefits by TML and are not paid additional holiday pay by the City.
- **Unpaid Leave.** Employees on unpaid leave are not eligible for holiday pay.

Separating Employees. Except in extraordinary situations, separating employees cannot use a holiday as their final day/shift of employment.

4.7 FAMILY & MEDICAL LEAVE ACT LEAVE

The City provides unpaid, job-protected leave to eligible employees in accordance with the Family and Medical Leave Act (FMLA). Under the FMLA, eligible employees may take up to 12 weeks of job-protected leave each year for specified family and medical reasons or 26 weeks of leave to care for an injured or ill service member. FMLA is mandatory when an employee has a serious health condition as defined by applicable FMLA regulations.

Eligibility Requirements. To be eligible for FMLA leave, an employee must have worked for the City for at least 12 months (need not be consecutive) and for at least 1,250 hours during the previous 12 months, and work within 75 miles of a City worksite employing at least 50 employees.

Basic Leave Entitlement. Eligible employees may take up to 12 weeks of FMLA leave (in a rolling 12-month period measured backward from the date an employee uses any FMLA leave) for the following reasons:

- When the employee is unable to perform their job because of their own serious health condition;
- To care for a spouse, child, or parent with a serious health condition;
- Incapacity due to pregnancy, prenatal medical care, or child birth; or
- To care for the employee's child after birth, or placement for adoption or foster care.

Leave for birth/placement must conclude within 12 months of the birth/placement and cannot be taken intermittently. If an employee and spouse are both employed by the City, both are jointly entitled to a combined total of 12 weeks of leave for birth/placement or to care for the child after birth/placement, or to care for a parent (but not a parent-in-law) with a serious health condition.

Military Family Leave Entitlement.

- **Qualifying Exigency Leave** – Eligible employees with a spouse, child, or parent on covered active duty (deployed to a foreign country) or called to covered active duty status in the National Guard or Reserves (deployment to a foreign country or in support of a contingency operation) may use their 12-week leave entitlement to address certain qualifying exigencies including eligible short-notice deployments, attendance at military events and related activities, arranging for alternative childcare, addressing financial and legal arrangements, attending counseling sessions, attending post-deployment activities, up to 15 days of rest and recuperation, and parental care.
- **Military Caregiver Leave** – FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave (during a single 12-month period) to care for a covered spouse, child, parent, or next of kin. The covered family/service member must be a current member of the Armed Forces (including a member of the National Guard or Reserves) with a serious injury or illness incurred in, or aggravated by, service in the line of duty on active duty that may render them medically unfit to perform their duties for which they are undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits & Protections. During FMLA leave, the City will continue to pay its portion, if any, of group health insurance premiums for employees on the same terms as if they had continued to work. Employees must timely pay their share of health insurance premiums while on FMLA leave. Upon return from FMLA leave, most employees will be restored to their original or an equivalent position with equivalent pay, benefits, and other employment terms. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave. However, benefit accruals, such as vacation and sick leave, will normally be suspended during any unpaid leave.

Intermittent Leave/Reduced Schedule Leave. Employees do not need to use their leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary, because of a qualifying exigency, or as otherwise approved by their Department Head and HR. Employees

must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt City operations. The City may temporarily transfer an employee to an alternative position (with equivalent pay and benefits, but not necessarily equivalent duties) in order to better accommodate their intermittent leave schedule.

Substitution of Paid Leave for Unpaid Leave. Employees must use available paid leave while taking FMLA leave. If an FMLA-qualifying absence is not covered by the City's sick leave policy or extended sick leave policy, or the employee's sick leave and extended sick leave are exhausted, then employees agree that paid leave will be used as follows: vacation leave then comp time.

Disability & Workers' Comp Leave. An employee on workers' comp or short-term or long-term disability is automatically approved for FMLA if the FMLA's eligibility requirements are met. This means workers' comp and short- and long-term disability absences run concurrently with FMLA leave. Employees paid either workers' comp salary benefits or short- or long-term disability benefits while on leave are not required to use accrued paid time off benefits while on FMLA.

Exhaustion of FMLA. Employees who are unable to return to work at the end of their FMLA leave and who are out of sick leave and other available paid time off must timely apply for a leave of absence under the City's Unpaid Leave of Absence Policy.

Employee Responsibilities.

- **Timely Notice** – Employees must provide 30 days' advance notice (to both their Department Head and HR) of their need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, employees must provide notice as soon as practicable, and must also generally comply with normal City and Departmental call-in procedures. Notice may be given by an employee's spokesperson only if the employee is physically unable to do so personally.
- **Sufficient Information** – Employees must provide sufficient information (to both their Department Head and HR) so the City can determine if the leave may qualify for FMLA protection, and also its anticipated timing and duration. Sufficient information may include that the employee is unable to perform their job functions, a covered family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform their Department Head and HR if the requested leave is for a reason for which FMLA leave was previously taken or certified.
- **Certifications** – Employees must provide a certification (on a City-approved form) to HR and periodic recertification supporting the need for leave within 15 days after it is requested. If the certification is not timely returned, the absence(s) will normally not qualify as FMLA and will thus be unexcused, and paid time off benefits cannot be used. Refusal to timely return a certification may also be treated as insubordination.
- **Recertifications** – If an employee's absence exceeds what is set out in their FMLA certification on file with HR, it is the employee's responsibility to obtain and provide HR with an updated certification. Without an updated certification, excess absences will likely be treated as unexcused.
- **Fitness-for-Duty/Return to Work Certification** – Employees must submit a "fitness-for-duty" certification to HR **before** returning to work if FMLA leave is taken because of their own serious health condition.
- **Time Records** – Employees must indicate on their time records when an absence or tardy is or may be covered by FMLA. Employees who are absent for more than 3 days due to an illness or injury must notify HR.
- **Periodic Check-in** – Employees on an approved, extended FMLA leave must check in at least weekly with their Department Head and HR regarding their status and intent to return to work unless this requirement has been expressly waived by HR. Employees must notify HR as soon as practicable if the dates of their scheduled leave changes or is extended, or was initially unknown.

- **Documenting Family Relationships** – Employees may be required to provide reasonable documentation confirming family relationships.
- **Other Employment Prohibited** – Employees on FMLA leave cannot engage in outside employment as defined in the City’s Outside Employment Policy unless expressly authorized in writing, in advance, by their Department Head and HR.
- **Meetings/Classes/Training** – Employees on FMLA leave who want to attend work-related meetings, classes, or training scheduled during their leave must receive special written authorization from HR to attend/participate.

City’s Responsibilities.

- **Human Resources** – After an employee requests FMLA leave, HR will inform them (and their Department Head) if they are FMLA eligible. This designation can be made even if the employee does not expressly request, or desire to use, FMLA leave. If an employee is eligible for FMLA, the City’s notice will specify any additional information required as well as the employee’s rights and responsibilities. If ineligible, the employee will be told why. HR will notify employees if their absence will be designated as FMLA-protected and the amount of leave to be counted against their entitlement. If the absence is not FMLA-protected, HR will notify the employee. HR will determine the completeness and authenticity of certification forms and fitness-for-duty/return to work certifications, and will review and coordinate all other FMLA documentation required by this policy. HR will keep the employee’s Department Head apprised of the employee’s FMLA status.
- **Supervisors** – Supervisors must immediately notify their Department Head and HR if an employee’s absence may be FMLA-qualifying, including any time an employee misses more than three days because of their own illness or injury or that of their spouse, child or parent. Supervisors must make this report even if the employee is using paid time off to cover the absence, *e.g.*, sick leave, vacation, holiday, comp time, workers’ comp, short- or long-term disability, or a trade with another employee.

Fraud & Abuse.

- Employees using FMLA leave for their own medical condition or that of a family member are expected to use the time away from work to recuperate or care for their family member. Out of town travel, vacations, and other activities (*e.g.*, shopping excursions, going to movies and restaurants) in conflict with the reason for the leave, will generally be considered an abuse of this policy. Employees are expected to obtain prior approval from HR for travel and vacations while using FMLA; prior approval from HR for other activities is also recommended.
- If the City has reason to doubt the validity of a medical certification, employees may be required to obtain a second or third medical opinion (at the City’s expense).
- Employees who fraudulently obtain or use FMLA leave are not protected by the FMLA’s job restoration or maintenance of health benefits provisions. Further, they are subject to disciplinary action, up to and including termination of employment.

Additional Information & Enforcement.

- **Holidays** – When an employee takes a full work week of FMLA leave and a holiday occurs within that week, the week is counted as a full week of FMLA. If a holiday occurs during a week in which an employee takes intermittent leave, the holiday does not count against the employee’s FMLA entitlement unless the employee was otherwise scheduled and expected to work on the holiday. Employees on FMLA are not normally paid for holidays.
- **Additional Information** – Employees can contact HR for additional information. Employees may also contact the U.S. Department of Labor or go to its website for more information. This policy does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement, which provides greater family or medical leave rights. This policy is not intended to create any rights to leave beyond those created by the FMLA.

- **No Unlawful Acts** – The City will not interfere with, restrain, or deny the exercise of any right provided under the FMLA, and will not discharge or discriminate against anyone for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to FMLA.
- **Mandatory Reporting of Improper Handling of FMLA** – Employees must immediately report, in writing, to HR, any discrimination, retaliation, interference with an employee’s right to take FMLA, or denial of any rights protected by the FMLA or this policy. If the complaint involves HR, then complaints must be made to the City Manager.

Definitions. More detailed definitions of some of the terms used in this policy are set out in the Act and in the DOL’s regulations.

- **Serious Health Condition.** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of their job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may also meet the definition of continuing treatment.
- **26 Weeks of Leave to Care for Family/Service Members.** The 12-month period for calculating the 26 weeks of leave to care for a covered family/service member is the 12-month period measured forward from the date an employee’s first FMLA leave to care for the covered family/service member begins.
- **Incapacity.** The inability to work, attend school or perform other regular daily activities.

4.8 BEREAVEMENT LEAVE

Eligibility. The City provides employees hired in regular full-time positions with paid bereavement leave. Other employees may be granted unpaid time off if approved by the CMO.

Amount and Use. The City generally authorizes up to 24-hours (three days) of bereavement leave (36 hours for 24-hour shift firefighters), per occurrence, for employees to attend the service and make necessary arrangements due to the death of their current spouse, child, parent, sibling, step-parent or child, step-brother or sister, mother/father in-law, aunt/uncle, nephew/niece, grandparent, grandchild, or any other relative living in the employee’s household. To be eligible for bereavement leave, the employee must normally attend the funeral or memorial services.

Documentation. The City may require proof of death, service, and/or family relationship in support of bereavement leave.

Notification and Approval. Employees who wish to take bereavement leave must notify their supervisor immediately and request time off. Authorization is not automatic. In the event of extraordinary circumstances which would cause the City or the public an undue hardship if bereavement leave were approved, the request must be forwarded to HR for review, who will have discretion to approve or deny the bereavement leave request in consultation with the City Manager. Any employee who suspects abuse of this policy must tell HR. Employees must make sure they have the necessary authorization before taking leave. All bereavement leave time taken must be recorded in the City’s payroll system.

Other Time Off. If additional time off is requested and approved or if time off is needed for a death not covered by this policy, employees may use accrued vacation, personal holiday, and comp time. If no such paid time is available, the Department Head or CMO may approve time off without pay.

4.9 CIVIL LEAVE

Jury Duty. The City encourages employees to fulfill their civic responsibilities by serving on jury duty when required.

- **Eligibility.** All employees called to serve on jury duty will be given the necessary time off. Employees hired to fill regular full-time positions will be paid their regular earnings for time spent serving on a jury, up to a maximum of 10 days (180 hours; 120 hours for firefighters). For all other employees, the time off from work will be unpaid. For exempt employees, this policy will be administered in accordance with applicable wage and hour laws.
- **Jury Fees.** Employees may keep any jury fees paid to them by the court.
- **Documentation.** Employees must show their jury duty summons to their supervisor as soon as possible so that arrangements can be made to accommodate their absence. A copy of the summons must be turned in to the appropriate supervisor.
- **Reporting to Work.** Employees are expected to report to work whenever the court's schedule permits or request approval for use of other time off.

Witness Duty Leave. The City encourages employees to appear in court for witness duty when subpoenaed to do so.

- **Testifying at City's Request.** Employees subpoenaed or otherwise requested to testify as a witness on behalf of the City will receive paid time off for the entire period of witness duty. This policy does not apply to testimony by police officers and others required to testify in court as part of their job duties, as this time is considered work time rather than leave.
- **Testifying Under Other Circumstances.** Employees must use their accrued paid time off to cover an absence to appearing court as a witness when requested to do so by a party other than the City, or as otherwise authorized by the CMO. If the employee does not have applicable paid leave time available, the time off from work will be unpaid unless otherwise authorized by the CMO. For exempt employees, this policy will be administered in accordance with applicable wage and hour laws.
- **Documentation.** A subpoena, letter of request from an attorney of record or prosecuting attorney, request of a hearing officer, or other applicable documentation in support of witness duty must be turned in to the appropriate supervisor immediately after it is received so that arrangements can be made to accommodate the employee's absence.
- **Reporting to Work.** Employees are expected to report to work whenever the court's schedule permits or request approval for use of other time off.

Time Off to Vote. Employees are encouraged to vote early if their work schedule on voting day might conflict with getting to the polls. In the rare case when early voting is not an option, employees may request Civil Leave for time off to vote at least three work days prior to Election Day. All such requests must be approved in advance by the employee's Department Head (or designee) and time managed if possible.

4.10 ADMINISTRATIVE LEAVE

The City may grant administrative leave, with or without pay, in circumstances specifically provided for by City policy. The City Manager may also grant administrative leave when no other type of paid or unpaid leave is available or appropriate. Authority to grant administrative leave is as follows:

- **Department Heads** (and their designees) – may grant up to 1 day/shift
- **CMO** – may grant administrative leave as appropriate, but if lasts longer than 30 days, must consult with the Mayor

Administrative leave must be documented with a copy forwarded to Payroll for proper payroll processing. A written notice will normally be issued to the employee, to include Department and City expectations during leave. The notice will normally be signed by the Department Head and/or CMO, with a copy to HR.

4.11 UNPAID LEAVE OF ABSENCE

In extraordinary circumstances not falling within other leave policies, the City may grant employees an unpaid leave of absence (LOA).

Eligibility. Normally, only regular full-time and part-time employees who have successfully completed their new hire probation period are eligible to apply for a LOA.

Reasons for LOA. A LOA may be considered when time off is needed by the employee due to an extended illness, injury or temporary disability; to provide medical care to an immediate family member; educational purposes that benefit the City; a public service assignment; or for other personal or business reasons approved by the City.

Advance Written Request Required. A LOA is a formal process. Nothing in this policy permits an employee to unilaterally take time off from work without pay. A request for a LOA must be formally requested and approved (see below). Requests for a LOA must be made as soon as possible once the need for leave is known. In cases where an employee does not make an adequate advance request and/or timely provide supporting documentation, if a LOA is nevertheless approved, the employee may be subject to discipline for violation of the City's Attendance, Punctuality, & Absence Notification Policy.

Approval. LOA's are coordinated by and through HR, and must be formally approved, in writing, by the employee's Department Head and the CMO. LOA's are granted in the City's sole discretion. Factors considered by the City in making its decision include: the reason for and length of leave; Departmental work requirements and other business needs; and, the employee's length of service, work performance and disciplinary history (including pending investigation and/or discipline). The City is unlikely to approve a medical LOA if the condition was caused by willful conduct of the employee, e.g. DWI or DUI. An employee who is released for and offered light/modified duty but declines the assignment, will normally be ineligible for a LOA.

Documentation. The need for a LOA, and any extensions, must be supported by appropriate documentation. For example, for a medical LOA for the employee's own medical condition, supporting documentation might include a doctor's explanation of why the employee cannot perform their duties, when they are expected to return to work, and periodic updates regarding their ability or inability to return to work.

Maximum Length of LOA. LOA's are normally granted in maximum increments of 30 days. Requests for additional 30-day extensions must be made in writing to the CMO. Extensions of a LOA must be requested and granted before the original LOA expires. A LOA will not be authorized unless there is a reasonable expectation that the employee will return to work at the end of the approved leave period (including extensions). This policy will be administered in accordance with the City's Long-Term Absence/Termination Policy.

Use of All Other Available Leave. Employees must use all applicable paid leave time before a LOA will be approved. If a medical LOA is requested, the employee must also use all available FMLA leave.

Periodic Check-in During LOA/Cooperation. The employee's Department and/or HR may require an employee on a LOA to periodically check in (preferably by email). Employees requesting or on an approved LOA must cooperate fully with the City.

Other Employment During LOA. An employee on a LOA cannot work another job (whether for pay, as a volunteer, or as self-employment) unless expressly authorized in writing by their Department Head and the CMO.

Meetings/Classes/Training. Employees on a LOA who want to attend work-related meetings, classes, or training during their leave must receive special written authorization to attend and/or otherwise participate from their Department Head and the CMO.

Return to Work/Reinstatement.

- A LOA is not a job-protected leave. The City will attempt to reinstate employees returning from a LOA to their same position or one of similar pay and status provided a position is available for which the employee is qualified. An employee who refuses an offered position will normally be considered to have resigned their employment and will be terminated. If no vacancy exists for which the employee is qualified or the employee refuses an offered position, the employee will be separated.
- Employees must notify their Department Head and HR as far in advance as possible of their availability to return to work from a LOA.
- Usually, an employee who fails to return to work at the end of an approved LOA will be considered to have voluntarily resigned.
- Before reporting back to work, an employee on a medical LOA must submit documentation to HR releasing them to perform their job duties with or without a reasonable accommodation.
- Employees may also be required to submit to a fitness-for-duty and/or a physical agility test before returning to work.
- The City may impose additional return to work requirements.

Benefit Accruals. All LOA's are unpaid. Vacation, sick leave, and other paid time off benefits do not accrue during a LOA. Employees on a LOA are not eligible for holiday pay, bereavement leave, or other paid time off benefits. Employees retain all benefits accrued before taking the LOA, unless the specific benefit policy provides otherwise. Upon return to work after a LOA, employees normally receive an adjusted anniversary date from HR for purposes of benefit accruals, which reflects the time off on LOA.

Insurance Premiums. Normally, employees who take an extended LOA (beyond 30 days) are responsible for timely payment of the full amount of their monthly group health premium, as well as any other group insurance premiums. In some cases, COBRA may apply. An employee's failure to timely pay their portion of insurance premiums during a LOA may result in cancellation of coverage.

Revocation. The City may revoke a LOA at any time. The City may revoke a LOA or impose discipline if an employee on a LOA fails to provide required medical status reports or physician's statements; fails to contact HR or their Department per the required schedule; fails to cooperate with the City in any way; or, if the employee misrepresented anything in connection with the leave.

ADA. This policy will be administered consistently with the City's obligations under the Americans with Disabilities Act and other applicable law, including considering a LOA as a reasonable accommodation.

4.12 MILITARY LEAVE

The City of Princeton complies with all state and national laws relating to employees in reserve or active military service and does not discriminate against employees who serve in the military. The City strongly supports its employees who serve in state and national military units and also recognizes that the skills, leadership, discipline, and teamwork experience acquired during military service can enhance their service to the City and its citizens. Accordingly, the City provides a number of military leave benefits, including paid leave.

Eligibility. This policy covers employees who serve in the uniformed services in a voluntary or Involuntary basis, including active duty, active duty for training, initial active duty for training, inactive duty training, and full-time National Guard duty. However, temporary, seasonal, and other employees who have brief or non-recurrent positions with the City and who have no reasonable expectation that their City employment will continue indefinitely or for a significant period of time are generally not eligible for paid military leave beyond the 15 days of annual paid military leave, reemployment rights, or any other military leave benefits under this policy.

Notice to City. Employees who will miss work due to military service must provide HR and their supervisor with as much advance notice as possible. Absent unusual circumstances such notice must be given to the City no later than 24 hours after employees receive their military orders. To be eligible for paid military leave, employees must submit their written military orders setting forth the purpose of the leave and, if known, its duration.

Paid Leave. Most employees are eligible for paid military leave, as follows:

- **Annual Paid Military Leave – Full Pay for Up to 15 Days.** All employees will be paid for military absences of up to 15 work days per fiscal year (October 1 through September 30). Shift employees may be transitioned to a 40-hour workweek during military absences in accordance with applicable state law. This paid leave may be used for National Guard or U.S. armed forces reserves training or duty ordered or approved by proper military authority. The 15 paid leave days may be consecutive or scattered throughout the year. For purposes of paid time off accruals and leave, a “day” for regular full-time employees is 8 hours; for 24-hour shift firefighters a “day” is 12 hours.
- **Employee’s Own Paid Leave Accruals.** Employees who are not eligible for paid military leave or who have exhausted all available paid military leave may, at their option, use their vacation, accrued holiday, and comp time, if any, to cover their absence from work.

Unpaid Leave. Employees are granted all military leave to which they are legally entitled. After an employee has exhausted all available paid military leave (including any paid leave accruals the employee chooses to use to cover a military absence), the employee will be placed on leave without pay for up to 5 years (or longer under certain conditions).

Other Benefits. The City will continue to provide employees on paid military leave with most City benefits:

- **Group Insurance.** While on paid military leave (or any unpaid military leave of 30 or fewer days), the City will continue to pay its portion of the employee’s monthly premium for group health, dental, and vision insurance along with any City-provided basic life insurance, if any. When military leave is unpaid, employees may elect to continue their group health coverage under COBRA for themselves and their eligible dependents. (Employees must pay 102% of the applicable premium to cover the cost of elective continuation coverage under the City’s group health plan.) Upon return to employment following military service, the City will provide group health insurance coverage immediately, even if a waiting period is normally required for new or returning employees. In addition, returning employees will not be subjected to exclusions from group health coverage unless the exclusions apply to injuries or conditions arising out of military service covered by the military’s health plan.
- **Accrual of Paid Time Off & Other Benefits.** While on paid military leave, employees continue to accrue vacation, sick leave and other benefits provided to other similarly situated employees on paid leave. While on unpaid military leave, employees are generally ineligible for most City-provided benefits. For example, benefit accruals, such as vacation and sick leave, do not accrue while an employee is on unpaid leave, including unpaid military leave. Benefit accruals will resume when the employee returns to active employment. Employees returning to work following military leave are treated as though they were continuously employed for purposes of determining benefits based on length of service, such as vacation accrual and longevity pay.

- **TMRS.** An employee’s active duty military service may count as covered service for purposes of eligibility, vesting, and benefit accrual. To qualify for service credit and/or monetary credit, employees must meet certain conditions. If employees make up their missed contributions, the City will make up any matching contributions. This is only a summary of provisions governing TMRS eligibility, benefits, and contributions. Please contact HR or TMRS for more information.

Return to Work Following Leave.

- **Reemployment Rights.** Employees returning from military service will normally be re-employed in their previous or a similar position. Federal law requires that employees returning from military leave be rehired in the position they would have had if they had been continuously employed. Since most City jobs and promotions are not awarded based on seniority, it is impossible to know what job employees might have had if they had been continuously employed. This means most employees returning from military leave will typically be restored to the job they had at the time they left for leave. The City will make reasonable efforts to enable returning employees to refresh or upgrade their job skills.
- **Deadline to Notify HR of Intent to Return to Work.** Deadlines for employees to return to work and/or notify HR of their intent to return to work depend upon how long their military service lasted:
 - If less than 31 days, employees have one business day following their return home after completion of service to report for their next scheduled work period.
 - If between 31 days and 180 days, employees have 14 days following their release from service to apply for reemployment.
 - If more than 180 days, employees have 90 days following their release from service to apply for reemployment.

These deadlines may be extended for 2 years or more for employees who suffer a service-related illness/injury that prevents them from applying for reemployment or when circumstances beyond their control make reporting within the time limits impossible or unreasonable.

- **Required Documentation.** Employees returning from military leave must provide HR with documentation as to the length and character of their military service. Also, evidence of discharge or release under honorable conditions is required if leave exceeded 31 calendar days.
- **Reemployment Entitlements.** Employees who serve in the military more than 6 months will not be discharged without cause during the 1-year period after reemployment. Employees who serve between 1 and 6 months will not be discharged without cause for 6 months following reemployment. Employees who serve 30 days or less are given no protection under federal law from discharge without cause.
- **Changed Circumstances.** If the City’s circumstances have changed to such an extent that it would be impossible or unreasonable to reemploy an employee, the City has no legal obligation to reemploy that employee following their return from military leave. For example, a reduction-in-force that eliminates the position held by an employee returning from leave excuses the City from its obligation to reemploy the employee. In addition, the City is not required to make efforts to assist returning employees in becoming qualified for reemployment or to make accommodations for employees who suffered service-related disabilities when such efforts or accommodations would impose an undue hardship on the City.
- **Time Limits.** There is a 5-year limit (with some exceptions) on the cumulative length of time a person may serve in the military and remain eligible for reemployment with the City.

Compliance with USERRA. If any part of this policy conflicts with the Uniformed Services Employment and Reemployment Act (USERRA) or other applicable law, then this policy will be modified to ensure the City complies with applicable law.

4.13 VOLUNTEER LEAVE

Employees are encouraged to volunteer for charitable activities. Each calendar year, regular full-time employees are granted up to 8 hours of paid volunteer leave for work time missed spent volunteering for a

City-sponsored and CMO approved volunteer activity. Volunteer leave may be used for a single full day absence (8 hours) or used for two ½ day absences (4 hours each). There is no accrual or carry over of volunteer leave.

4.14 PUBLIC SAFETY QUARANTINE LEAVE – Draft Policy 7.19.21

The City provides paid quarantine leave for employees who are certified and employed by the City as firefighters, police officers, and/or certified EMTs (together “Public Safety employees”) in accordance with state law (Tex. Local Gov’t Code 180.008). Paid quarantine leave will be provided when a Public Safety employee is ordered by a supervisor or the City’s health authority (Collin County) to quarantine or isolate due to a possible or known exposure to a communicable disease **while on duty**. Paid leave will be provided for the duration of the quarantine leave.

The City’s health authority will determine when a threat of a highly communicable or a life-endangering disease is immediately present and may release quarantine orders or protocols for Public Safety employees to follow. If this occurs, Department supervisors will confer with the HR Director to allow for the use of paid quarantine leave based on the health authority’s orders/protocols for appropriately dealing with the disease and/or prevention of community spread. Public Safety employees will be released from quarantine leave based on guidance from the local health authority.

Employees must notify HR immediately of any known or possible exposure so that, if a worker’s compensation related injury or illness develops after exposure, notification to the carrier can be made promptly. If an injury/illness develops, quarantine leave will run concurrently with worker’s compensation leave.

Public Safety employees on paid quarantine leave continue their eligibility for all employment benefits and compensation, including leave accruals, pension benefits, and group health insurance coverage for the duration of the leave. While on paid quarantine leave, the employee’s leave balances will not be reduced. When applicable, Public Safety employees ordered to quarantine may be eligible for reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation costs. Public Safety employees must obtain written approval for reimbursement from the HR Director prior to incurring quarantine expenses. Timely submission of receipts and other appropriate documentation of expenses is required.

SECTION FIVE: Health & Safety

5.1 HEALTH/MEDICAL EXAMS/FITNESS FOR DUTY

The City strives to provide a safe work environment for all employees. It is the responsibility of each employee to maintain the standards of physical and mental health fitness required for performing the essential functions of their position, either with or without reasonable accommodation. Further, employees must be physically and mentally able to perform their essential job functions without posing a direct threat to their own health and safety or that of others.

Conditional Employment. In accordance with the Americans with Disabilities Act, the City may condition employment on an individual providing certain medical history and/or successful completion of a medical examination. HR, working with Department Heads, designates those positions requiring medical history and/or a physical examination.

Medical Exams/Inquiries for Current Employees. HR, working with an employee’s Department Head, may require a current employee to undergo a medical and/or psychological exam/inquiry to determine fitness for continued employment; for promotion or other personnel action; as may be necessary for the

City to provide a reasonable accommodation; following an injury or accident; and as otherwise permitted in accordance with the Americans with Disabilities Act. All such exams are coordinated by and through HR.

Medical Information from an Employee's Doctor. Under certain circumstances (*e.g.*, FMLA Certifications), HR may require employees to provide medical information from their health care provider. In such cases, employees are to inform their health care provider not to provide any genetic information when responding to such request.

Genetic Information. In accordance with the Genetic Information Nondiscrimination Act (GINA), the City will neither request nor require genetic information of an employee or their family member, except as specifically allowed by GINA. To comply with GINA, employees are directed not to provide any genetic information when responding to any City request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an Individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or embryo lawfully held by an individual or family member receiving assistive reproductive services.

Reasonable Accommodations. The City will provide reasonable accommodations to disabled applicants and employees as required by law.

Medical Records. Medical records and sensitive information regarding an employee's health will be kept confidential as required by law. Limited information may be provided to supervisors and managers, first aid and safety personnel, government officials, Texas Workers' Compensation Commission, and as necessary for insurance and other business-related purposes, Fitness for Duty.

Time Off From Work. Time away from work under this policy will normally be coded to paid administrative leave, but may be retroactively changed to sick leave, FMLA leave, and/or other leave as appropriate.

Return to Work/Fitness for Duty. Before returning to work following a medical absence or a medical and/or psychological examination under this policy, the employee must coordinate their return through HR. An employee who misses work due to medical reasons may be required to provide a fitness-for-duty certification before returning to work.

Coordination with HR. All medical exams/inquiries, light/modified duty assignments, and return to work from leave and light/modified duty assignments must be coordinated through and approved in advance by HR.

5.2 LIGHT/MODIFIED DUTY ASSIGNMENTS

In some cases, the City will make light/modified duty assignments available to ill or injured employees who are unable to perform their regular job duties. All light/modified duty requests and assignments will be reviewed, approved by, and coordinated through HR. HR will work with the employee's Department throughout the process.

Approval. Light/modified duty assignments are made in the City's sole discretion. The City may require employees to be medically released (*i.e.*, able to perform their essential job functions with or without a reasonable accommodation) before returning to active duty. Factors considered by the City in making its decision include, but are not limited to: the nature of an employee's illness or injury; the medical release provided in support of light/modified duty; the risk that a light/modified duty assignment may result in aggravation of an injury or illness; the type of light/modified duty work available, if any; the length of the employee's employment; the employee's performance and disciplinary history (including pending investigation and/or discipline); and whether the illness or injury occurred on or off duty. In making

light/modified duty assignments, the City will normally give priority to employees whose injury or illness is work-related.

Documentation. The need for a light/modified duty assignment must be supported by documentation acceptable to HR. Employees who are released for and given a light/modified duty assignment may not do anything in violation of their medical release in carrying out their light/modified duty assignment. Employees who violate the terms of their medical release while on a light/modified duty will likely lose the light/modified duty assignment and, in addition, may be disciplined up to and including termination of employment.

Light/Modified Duty Assignment. During a light/modified duty assignment, employees may be required to work hours, days, and/or shifts that differ from their normal work assignment. Most light/modified duty assignments are 8 to 5, Monday through Friday. Assignments may be in the employee's own Department or in another Department, depending upon circumstances and City needs. Employees are required to follow Departmental policies and procedures applicable to their light/modified duty assignment and to perform their light/modified duty assignment in an acceptable manner.

Maximum Length of Assignment. Light/modified duty assignments are normally granted in maximum increments of 30 days. Requests for an extension must be made in writing to HR. Light/modified duty assignments in excess of 90 days are not typically granted except in extraordinary circumstances and must be approved in writing by the CMO. A light/modified duty assignment will not be authorized unless there is a reasonable expectation the employee will return to their normal job duties within a reasonable period of time. A light/modified duty assignment may be revoked at any time.

Return to Full Duty. Before returning to regular job duties following a light/modified duty assignment, employees must coordinate their return through HR. The following also apply:

- Before employees can return to their regular job, they must submit medical documentation acceptable to HR releasing them to resume their normal work duties with or without a reasonable accommodation.
- The City will attempt to reinstate employees to their same position or one of similar pay and status provided a position is available for which they are qualified.
- Employees must notify HR as far in advance as possible of their release to return to their regular job duties.
- Employees whose job duties include specific physical requirements may also be required to submit to a fitness-for-duty exam and/or physical agility test before returning to their regular job.
- The City may impose additional return to work requirements.

Other Employment During Light/Modified Duty. An employee on light/modified duty cannot work another job unless expressly authorized in writing, in advance, by both the employee's Department Head and HR.

ADA. This policy will be administered consistently with the City's obligations under the Americans with Disabilities Act and other applicable law, including considering offering or extending a light/modified duty assignment as a reasonable accommodation.

Declining Light/Modified Duty. An employee who is released for and offered light/modified duty by the City, but who elects not to accept such an assignment, will generally be ineligible for paid leave benefits (including sick leave or extended sick leave or for workers' compensation and salary continuation benefits under the City's Workers' Compensation Policy), but may still be entitled to unpaid leave under the City's FMLA policy.

5.3 CONFIDENTIALITY OF EMPLOYEE MEDICAL & OTHER INFORMATION

Federal law requires that the City maintain all employee medical information in separate, confidential files. Therefore, in addition to personnel files, HR maintains a separate medical file for each employee.

It is important that employees understand that while medical records are generally confidential, confidentiality may be waived if they discuss or share their medical information with anyone other than HR. To preserve confidentiality, employees should provide FMLA Certifications, doctor's notes, genetic and other medical information directly to HR. Supervisors who become aware of an employee's medical diagnosis or condition or genetic information (of City employees or their family members) are not to discuss such information with anyone, except other City employees on a strict "need-to-know" basis. All employees are to take reasonable precautions to safeguard confidential medical information. For example, medical records and information is not to be left on top of desks or other non-secure areas. Employees must use extreme care when sending and receiving faxes, emails and texts as these types of transmissions often lack sufficient safeguards. Medical records of any kind, regardless of the source, must be maintained in a locked file cabinet by HR. Medical records are not to be kept in Departmental files unless approved in advance by HR.

This policy does not excuse employees from complying with appropriate supervisory and/or HR requests for information pursuant to attendance and other procedures. In addition to protecting their own confidential medical information, employees must also respect the privacy and confidentiality of their coworkers' medical information. Employees are expected to use discretion and judgment when dealing with such information and are to refrain from passing along information, gossip, rumors or anything else that may constitute an invasion of a coworker's privacy or breach of confidence.

5.4 ON-THE-JOB INJURIES/WORKERS' COMPENSATION BENEFITS

The City provides workers' compensation insurance coverage to employees. Workers' comp insurance pays for medical expenses and provides partial compensation for lost wages to employees for certain kinds of work-related injury or illness.

Report of Accidents and Injuries. All job-related injuries and illnesses (even if minor) must be reported immediately to the appropriate supervisor and HR. Supervisors must document the incident and complete a report on the City's Accident/Incident Report form and turn it in to HR within 24 hours of the incident. Department Heads are responsible for ensuring reports are timely completed and turned into HR.

Status Reports. Employees on workers' comp leave must timely provide a status report on the appropriate form to HR each time they see a doctor for consultation or treatment. In addition, employees must check in weekly with the supervisor or on the time table directed by the supervisor. Failure to provide required status reports may result in discipline and/or cause the City to presume the employee has resigned.

Human Resources. Workers' comp claims and related matters must be administered through HR. Claims must be filed with HR through appropriate supervisory channels. HR will timely file the necessary forms with TML. HR may require injured/ill employees to submit to a medical exam at City expense, by a physician or psychologist chosen or approved by the City and/or the City's workers' comp carrier to determine their ability to perform their job duties in addition to medical treatment/exams provided to them under Texas workers' compensation law. The City may also contest a workers' comp claim and/or request a full investigation and determination by the workers' comp insurance provider.

Approved Health Care Providers and Facilities. The City's workers' comp provider uses a network of approved doctors and health care facilities. In order to receive benefits, employees must obtain medical care from providers within the approved network.

Pay While on Workers' Comp Leave.

- **Workers' Comp Insurance – Partial Pay Compensation.**

- **Missed time of 7 days or less.** Workers' comp does not pay salary benefits if an employee's workers' comp absence is 7 days or less. Employees must use their own paid leave time for such absences, in the following order: sick leave, then vacation, comp time, accrued holiday.
- **Missed time of 8 days or more.** Workers' comp pays partial salary benefits to eligible employees only after they have missed more than 7 calendar days of work. Once the absence extends to 8 days and is determined to be an approved workers' comp injury/illness, any paid leave applied to the absence will be reversed and put back in the employee's leave balance. When employees receive their first workers' comp check from TML, they are responsible for contacting HR to adjust their leave balances and refund the City for any sick (or other) leave paid to them by the City.
- **City's Supplemental Salary Continuation Program.** In cases of legitimate on-the-job injuries or illnesses for which workers' comp insurance pays partial pay, regular full-time employees may also be eligible for the City's Supplemental Salary Continuation Program, which pays additional benefits for up to 90 calendar days. All Supplemental Salary Continuation benefits must be reviewed and approved by HR.
 - **Eligibility.** Factors considered by HR in determining eligibility for Supplemental Salary Continuation include the employee's work performance and disciplinary history, including any pending discipline; length of service; and, the employee's responsibility for the illness/injury, if any.
 - **Ineligibility.** Supplemental Salary Continuation may not be provided, or may be stopped, as the case may be, if the employee:
 - Was under the influence of alcohol or a controlled substance.
 - Fails to timely report the work-related injury or illness.
 - Is still in their new hire probation.
 - Engaged in horseplay, carelessness, or failure to follow safety practices.
 - Refuses a light duty assignment compatible with their work restrictions.
 - Refuses to submit to drug and/or alcohol testing or tests positive.
 - Fails to communicate with or follow City directives.
 - Works, volunteers, or attends school or training without the express, written approval of both HR and their Department Head. See Outside Employment Policy.
 - Fails to keep medical appointments and/or does not follow treating physician recommendations.
 - Refuses to accept or perform light/modified duty if authorized.
 - Is not immediately available by phone during their normal work hours (with the exception of doctor visits, a hospital stay and brief limited errands).
 - Violates this or any other City policy.
 - **Supplemental City Check.** If Supplemental Salary Continuation benefits are paid by the City (for up to a maximum of 90 days), employees will be issued a supplemental payroll check from the City, with applicable payroll deductions. The City's supplemental check will be in an amount that, when added to the Worker's Compensation payment, equals the employee's regular pay.
 - **Use of Accrued Leave to Worker's Comp Salary Benefits.** Employees receiving the maximum amount of Supplemental Salary Continuation benefits may use paid leave to supplement workers' comp salary benefits, in the following order: sick leave, extended sick leave, comp time, holiday, and then vacation leave, up to the maximum leave allowed under the City's Long-Term Absence/Termination Policy. Once all available paid time off benefits have been exhausted, then no supplemental pay will be provided by the City, and employees are only entitled to insurance salary benefits from TML.
- **Maximum Pay Benefits.** Under no circumstances will employees on workers' comp leave receive more pay benefits (e.g., insurance salary benefits, City Supplemental Salary Continuation benefits, disability insurance benefits, or paid leave time) than they would have earned in base salary/wages

(excluding overtime, shift differential, or any other type of extra compensation) if they were not injured and able to work.

Return to Work. Requests for accommodations and light/modified duty requests and assignments will be reviewed, and if approved, coordinated through HR in accordance with the City's Requests for Accommodation and/or Light/ Modified Duty Assignments Policies. Employees who are released to return to work are expected to promptly return to work, but must coordinate their return to work following a workers' comp absence through HR. See Health, Medical Exams, and Fitness-for-Duty Policy. Employees are expected to immediately contact HR to coordinate their return to work as soon as they are released to return to work.

Benefits While on Workers' Comp Leave. Employees off work and receiving salary continuation benefits from the City's workers' comp insurance carrier are not entitled to holiday pay or other holiday benefits.

Drug & Alcohol Testing. Employees involved in an on the job injury or accident are subject to mandatory drug and alcohol testing.

FMLA. A workers' comp absence that qualifies as FMLA leave will be counted as both. See FMLA Policy.

Abuse. It is anticipated that employees receiving workers' comp benefits and/or City salary continuation benefits will remain at home during their absence to recuperate. Brief limited errands, trips to the doctor, or hospital stays or similar necessities which take the employee away from home are acceptable, but other personal pursuits during a workers' comp absence may be considered an abuse of this policy. Exceptions to this policy must be approved in advance by the employee's Department Head and HR.

5.5 SMOKING, TOBACCO, & E-CIGARETTES

In keeping with the City's desire to promote employee wellness, a safe work environment, and a professional public image, smoking, dipping, vaping, e-cigarettes, and the use of all other tobacco products (including smokeless) and tobacco alternatives are prohibited while employees are on duty. Employees are prohibited from using these products **at any time** in City buildings and other facilities, in City vehicles, while using City equipment, and as otherwise directed.

Use of these products before and after work, during lunch breaks, and during the two, fifteen-minute discretionary breaks that may be allowed under the City's Meals and Other Breaks Policy is limited to approved smoking areas, if any, designated by the City Manager. Use of these products is not allowed at any time within 10 feet of any municipal facilities entrance. Employees who use smoking areas are responsible for keeping such areas clean and free of trash.

5.6 DRUG & ALCOHOL USE

It is the City's desire to provide a drug-free, healthful, and safe workplace. To attain this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory and safe manner.

Prohibition Against Alcohol, Illegal/Unauthorized Drugs, and Drug Paraphernalia. While on City premises, while on duty, while conducting City business or other activities off premises (including driving), or while using City property or equipment, employees cannot:

- Use, possess, distribute, sell, or be under the influence of alcohol (except under the limited circumstances described below), inhalants, illegal drugs (including drugs which are legally obtainable but which were not legally obtained), and prescribed or over-the-counter drugs which are not being used as prescribed or as intended by the manufacturer.

- Use, possess, or distribute drug related paraphernalia, including items used to test, package, store, inject, ingest, inhale or otherwise introduce illegal or unauthorized drugs into the body.
- Test positive for an unauthorized substance.
- Abuse prescription or over-the-counter drugs.

Use of Prescribed & OTC Drugs – Required Employee Notification. This policy does not prohibit employees from lawfully possessing and using prescribed and over-the-counter medications as long as such use does not impair their ability to perform their job duties effectively and in a safe manner that does not endanger themselves or others. (Examples of impairment include drowsiness, dizziness, confusion, slow response time, or feeling shaky.) Employees in safety sensitive positions, including police officers, firefighters, and employees whose job duties include the use of machinery and/or operation of vehicles have the responsibility to consult with their doctors or other licensed health care provider about the effect of over-the-counter and prescribed medications on their ability to perform their job duties in a safe manner and to promptly disclose any work restrictions to their supervisor and/or to HR before performing such duties. Employees should not, however, disclose any underlying medical conditions, impairments, or disabilities unless specifically directed to do so by their doctor or other licensed health care provider. If an employee fails to timely notify their supervisor and/or HR and the City confirms use of such medications (including but not limited to confirmation by testing), such failure to notify is a violation of this policy.

Alcohol. Employees may possess and consume alcohol at certain City-sponsored events and functions or in certain legitimate business settings, such as off-site business entertainment and conferences, and as otherwise approved by the City Manager. At all such times, however, employees are expected to act responsibly and to drink moderately, never in a manner that would embarrass the City or harm its reputation, and never to the point they are impaired or under the influence. The City may withdraw these privileges if an employee abuses them or if an employee violates this policy. Employees may not consume alcohol during lunch or other breaks from work. Absent specific approval by the Mayor, alcoholic beverages are not allowed on City premises, including parking lots, and may not be stored/transported in a City vehicle.

Fire & Police Department Employees. Certain City Fire and Police Department employees are sometimes required to possess alcohol and/or drugs in carrying out their job duties. Such employees will be exempted from portions of this policy under limited conditions. These employees will be advised in writing of the specific exemptions applicable to them. Additional guidelines may be established by the Police and Fire Departments.

On-Call Employees. Employees scheduled on call are expected to be fit for duty upon reporting to work. Any employee scheduled on call who is called out is governed by this policy. Sometimes, an employee not scheduled for on call may be called out. If this or any other situation occurs where an employee called out is under the influence of drugs and/or alcohol such that reporting to work would result in a violation of this policy, then the employee must so advise the appropriate supervisor on duty; the employee will not be required to report to work.

Mandatory Reporting of Convictions. Employees must notify HR, in writing, of any criminal drug conviction (including a plea of nolo contendere) no later than five calendar days after the conviction. See additional reporting requirements in the City’s Employee Conduct & Work Rules policy.

Off Duty Conduct. Employees may be disciplined if their off-duty use or involvement with drugs or alcohol is potentially damaging to the City’s reputation or business, is inconsistent with their job duties, or adversely affects their job performance.

DOT-Covered Employees. Employees regulated by the U.S. Department of Transportation (DOT) are also subject to DOT drug and alcohol workplace testing and other requirements.

FMLA & ADA. This policy will be administered in accordance with the City’s obligations under the American with Disabilities Act (ADA) and the FMLA, when applicable.

5.7 DRUG & ALCOHOL TESTING

The City may require drug and/or alcohol testing in support of its efforts to provide a healthy, safe, and drug-free workplace.

Types of Tests. Testing may include urinalysis, hair testing, breathalyzer, intoxilyzer, and/or other generally-accepted testing procedure.

Testing of Applicants. Applicants to whom a conditional offer of employment has been made are required to submit to drug and alcohol testing. A positive test result, refusal to test, or attempts to alter or tamper with a sample or any other part of the test, will disqualify the applicant and the job-offer will be rescinded.

Testing of Employees. A supervisor who wishes to initiate a test under this policy must consult with their Department Head and the CMO.

- Employees may be tested for drugs and/or alcohol after a workplace injury requiring medical treatment, an accident resulting in anything more than a scratch or minor dent, or a “near miss”; when reasonable suspicion exists; or in connection with return-to-work, treatment, and rehabilitation.
- Reasonable suspicion is a belief based on articulable observations (e.g., observation of alcohol or drug use, apparent physical impairment, incoherent mental state, unexplainable changes in behavior, deteriorating work performance not attributable to other factors, a work-related accident or injury, evidence of possession of substances or objects which appear to be illegal or unauthorized drugs or drug paraphernalia) sufficient to lead a supervisor to suspect the employee is or was under the influence of illegal or unauthorized drugs or alcohol. Supervisors who refer an employee for reasonable suspicion testing must document the specific, observable facts in support of testing (e.g., the who, what, when, where of the employee’s behavior and other symptoms, statements from others, and other evidence supporting testing).
- Employees who refuse to be tested, or who attempt to alter or tamper with a sample or any other part of the testing process, are subject to disciplinary action.
- A positive test will normally result in termination of employment. The Medical Review Officer (MRO) has the authority to change a positive test result into a negative result if the employee timely presents information and documentation to the MRO and the MRO determines the employee has a valid doctor’s note stating the employee has a valid prescription, is taking the drug in accordance with the prescription, and the employee is able to safely perform their job duties while taking the medication.
- Police department employees are also subject to any applicable Departmental testing policies and procedures, e.g., any time an officer uses deadly force.
- Employees regulated by the U.S. Department of Transportation are subject to additional testing requirements. Covered employees must comply in all respects.

Testing Procedures.

- Testing must normally be authorized in advance by two of the following: the employee’s Department Head, HR, and the City Manager.
- For reasonable suspicion testing, testing will not be authorized without a supervisor’s documentation of the articulable observations which led them to suspect the employee is under the influence. Testing should be arranged as soon as possible after the supervisor’s articulable observations.

- The City normally pays for tests. To the extent possible, testing will normally be done during the employee's normal work time.
- If an employee's conduct resulted in a work place accident, injury, "near miss," or other reasonable suspicion exists to believe the City's Drug and Alcohol Use Policy has been violated, the employee will be provided with transportation to the testing facility. A supervisor or other designated City representative may be required to stay with the employee during the testing process. The City will make arrangements to have the employee transported home after testing.
- The City may, in its discretion, reassign employees or put them on administrative leave until test results are received.
- Testing will be performed by an approved laboratory or healthcare provider chosen by the City. All positive test results will be subject to confirmation testing.
- Test results will be communicated to supervisors on a need to know basis only.
- Test results will be maintained by HR in a confidential medical file.

5.8 EMPLOYEE ASSISTANCE PROGRAM

The City provides an Employee Assistance Program (EAP) to eligible employees. EAP services are provided, at least initially, at no cost to the employee. The EAP is available to assist employees experiencing personal or family problems with alcohol or drug abuse, financial burdens, marital, or other family problems. Employees who feel they may have an alcohol, drug, or other problem are encouraged to utilize the EAP before their problems adversely affects their job performance or employment status. (See Drug & Alcohol Use Policy) Participation in the EAP is typically voluntary and confidential. However, a supervisor (through HR) may make a mandatory referral when some aspect of an employee's personal life is negatively affecting job performance.

5.9 SAFETY

The City strives to conduct its operations with the utmost regard for the health and safety of its employees, citizens, volunteers, and other visitors. Each and every employee is required at all times to obey safety rules, to follow appropriate safety procedures, and to exercise caution and good judgment in all work activities. The City's expectation is that employees will not cause or exacerbate hazardous or dangerous situations and will, where appropriate, correct such situations.

Reporting Unsafe Conditions. Employees must immediately report any unsafe condition, equipment or practices to the appropriate supervisor, their Department Head, and/or the CMO. Employees are also encouraged to make suggestions if they have an idea for making the workplace safer and healthier.

Reporting Accidents & Injuries. Accidents and injuries, however slight or seemingly inconsequential, must be reported immediately to the appropriate supervisor and to HR. If needed, first aid or medical treatment should be requested. Supervisors must complete the DWC-1 form for on-the-job injuries and turn it in to HR within 24 hours of the incident. See On-the-Job Injuries/Workers' Compensation Benefits Policy for more information.

5.10 PANDEMIC & DISASTER RESPONSE

During a pandemic or other public health threat or emergency/disaster situation, the CMO will issue employee directives, as appropriate, to ensure that the City continues to provide essential services to our citizens and businesses, while at the same time helping to ensure the health and safety of our employees. The CMO and Department Heads should be continuously committed to planning and preparation so that City operations can continue effectively during such challenges. The City will likely need to modify existing policies/procedures and implement new ones in response to a pandemic or other public health threat or emergency/disaster situation. The City will normally base its actions on appropriate CDC, DOL, and other federal agency guidance as well as directives issued by the State of Texas. Employees are expected to cooperate fully in the City's safety, operational, and other responsive measures.

SECTION SIX: Employee Conduct

6.1 OPEN DOOR POLICY

Employees, including all levels of supervisors, must treat each other with professional courtesy and mutual respect, even when they may not agree with each other. The purpose of this policy is to foster open and ongoing communications in which employees feel comfortable discussing questions, concerns, problems, and complaints that impact the workplace; it is not to be used as a way for employees to avoid dealing directly with their immediate supervisor on most workplace issues.

Issue Presented. Employees should be prepared to effectively communicate the issue, the applicable facts, previous steps taken to resolve the matter, and the resolution sought. Employees may be required to put this in writing, particularly when seeking resolution up their chain-of-command. (Note: Conduct covered by the City's EEO & Prohibited Harassment Policy must be addressed under that policy, not the Open Door Policy.)

Prompt Response. Supervisors are expected to respond timely and effectively to issues and concerns presented to them. Normally, supervisors will meet with the employee to communicate verbally their response to the issue raised by the employee. In some instances, a written response may be provided. The goal is to timely report back to the employee, hopefully within five business days of the employee's initial contact with the supervisor, although additional time may be needed to adequately address and respond to an issue.

Process. It is the City's policy to resolve problems at the lowest level of the organization whenever possible, so employees are to use the following steps:

- **First Step – Immediate Supervisor.** Employees should first seek to resolve issues informally with their immediate supervisor. The supervisor will attempt to address and resolve the issue in a timely manner, meeting with the employee as necessary to ensure effective communication.
- **Second Step – Next Level Supervisor.** If an employee is not satisfied with the outcome or resolution provided by an immediate supervisor, the employee may seek guidance from the next person in the "chain-of command." In most instances, however, the higher-level supervisor's responsibility will be to encourage employees to work directly with their immediate supervisor to resolve any issues.
- **Human Resources.** Employees, including supervisors, may go to HR at any time for assistance in dealing with workplace issues.

No Retaliation. Employees will not be penalized for using the City's Open-Door Policy as long as they demonstrate the required professional courtesy and mutual respect throughout the process.

6.2 DAILY WORK EXPECTATIONS

The City expects you to work safe, smart, hard, and as efficiently as possible each and every day. We realize new employees may not be able to produce at the level of more experienced employees, but they are still expected to take responsibility for their conduct, to produce quality in whatever work they do, and to work cooperatively with their co-workers, supervisors, citizens, and everyone else with whom they interact. Working effectively with other people is a job requirement of every City job. If you are in doubt about what to do, ask your supervisor.

Personal business during work time must be kept to an absolute minimum and may not adversely impact your or a coworkers' job duties or work performance. If you need more than a few minutes to attend to personal business, first get approval from your supervisor; nonexempt employees may be required to clock out. Time off for personal business may, if approved, be taken as vacation or unpaid time off. If you want to use vacation, request the time in accordance with the City's Vacation policy. Violations of this policy will result in disciplinary action.

6.3 EMPLOYEE CONDUCT & WORK RULES

Employee Accountability. Each City employee is held to a high standard of conduct, performance, and professionalism. This standard starts with respect and integrity in all that we do. Each employee is expected to be accountable, show quality and detailed work, and complete tasks promptly and accurately. Many of the standards required of employees are set out in various City policies and procedures, its Code of Ethics, and in each employee's Job Description and during annual and other performance reviews. Employees are also required to perform their job duties and conduct themselves in a way that reflects positively on the City.

Unacceptable Conduct. It is impossible to list all the conduct considered unacceptable in the workplace. The following are examples of unacceptable conduct that will likely result in disciplinary action, up to and including termination of employment, under the City's Discipline Policy:

- Violations of any City policy or procedure (in this Manual or elsewhere)
- Violations of Departmental SOPs, General Orders, Codes of Conduct, or other rules or procedures
- Insubordination
- Theft or inappropriate removal or use of property not your own
- Dishonesty, lying or willful omission
- Falsification of timekeeping or other records, including employment application and expense reports
- Working under the influence of alcohol or illegal drugs or abuse of legal drugs
- Testing positive for alcohol or illegal drugs
- Possession of alcohol, illegal drugs, or other illegal substances or materials
- Sexual or other unlawful harassment
- Excessive and/or unauthorized absences/tardies or absence without proper notice
- Breaks in excess of allotted time
- Profanity or abusive language
- Violation of safety or health rules and failure to immediately report on-the-job injuries
- Coercion, intimidation, or threatening behavior
- Making or publishing false, vicious, or malicious statements
- Interfering with work schedules or another's ability to work
- Misuse of City telephones, computers, mail systems, etc.
- Unauthorized disclosure of confidential information
- Rude, disrespectful, or unprofessional conduct
- Unsatisfactory performance or conduct
- Disruptive activity
- Fighting, provoking, or instigating a fight
- Loss, waste or damage of property
- Failure to timely return to work upon conclusion of authorized leave or other absence suspension
- Off-duty conduct that adversely affects the City, its reputation, or the employee's ability to do their job
- Violation of local, state or federal law
- Sleeping on the job (except for certain firefighters)
- Gambling on city property

Mandatory Reporting of Felonies & Misdemeanors. Employees must immediately notify both their supervisor and HR (the City Manager must notify the Mayor) if they are arrested, charged, indicted, convicted, receive deferred adjudication, or plead *nolo contendere* to any misdemeanor or felony; however, employees who never drive as part of their City job duties are not required to report minor traffic violations. Supervisors must then immediately notify HR. In most instances, the City will conduct its own investigation and take appropriate action; in rare instances, an employee may be placed on paid or unpaid administrative leave until the matter is resolved through the judicial system, at which time the City will make a decision about the employee's employment.

6.4 DISCIPLINE

The City's Discipline Policy emphasizes the employee's responsibility for the consequences of their own behavior, with a focus on communicating expectations for changes in behavior and needed improvement. In other words, discipline is a tool for supervisors to use to ensure that employees know both what is expected of them and the consequences if they fail to meet those expectations. While the primary purpose of discipline is to educate, correct and prevent the recurrence of unacceptable conduct and/or job performance, in some cases termination of employment is the appropriate response.

Responsibility of Department Heads. Department Heads are responsible for discipline in their Department. While Department Heads can delegate certain responsibilities, they cannot delegate more serious levels of discipline including termination, demotion, or suspension. HR must review and approve, in advance, all terminations, demotions, and suspensions except for employees who report directly to the City Manager. The City Manager makes discipline decisions for Department Heads and other direct reports. Department Heads must work with HR to ensure compliance with this policy.

Review/Investigation & Confidentiality. A thorough review/investigation should take place before discipline is taken to include an explanation from the employee in question. Supervisors must use discretion in discussing allegations of misconduct and any resulting investigation, findings, and/or discipline.

Progressive Discipline. The City typically uses progressive discipline. The City may begin the disciplinary process at any level, depending upon such factors as the type and severity of the misconduct/unacceptable job performance, prior job performance and disciplinary history, length of service, and mitigating circumstances. Discipline may consist of one or a combination of the following:

- **Written Reprimand** – typically used for serious and/or recurring misconduct and/or unacceptable job performance.
- **Final Written Warning.** A type of written reprimand that emphasizes an employee's future employment is in serious jeopardy.
- **Decision Making Leave/Action Plan** – used in rare situations and no more than once every three years. It typically is a day/shift off with pay for employees to decide if they want to remain employed and, if so, to create a detailed, written action plan to improve their conduct/performance to an acceptable level. Upon return to work, employees present their plan to their supervisor for review, discussion, editing, and approval.
- **Suspension without Pay** – used for serious and/or recurring misconduct and/or unacceptable job performance, usually for non-exempt employees. Suspensions of exempt employees will be in accordance with the FLSA. Suspensions cannot exceed 30 days.
- **Demotion** – used for serious and/or recurring misconduct and/or unacceptable job performance and involves a reduction in rank, classification, and/or pay.
- **Termination** – involuntary discharge.

Discipline Steps/Procedures (Also Required for New-Hire Probationary Employees).

- **Fact Gathering/Investigation.** Before discipline is taken, the Department will review and/or investigate the employee's conduct/performance and gather relevant facts in accordance with the City's Investigations Policy.
- **Prior Approval.** All discipline must be documented in writing and approved by the Department Head and HR **before** given to the employee.
- **Contents of Written Discipline.** The documentation will set out the unacceptable conduct/performance, future expectations, consequences if the employee does not meet expectations, and, where appropriate, when the next evaluation will occur. Disciplinary action forms are available from HR and supervisors are encouraged to use these forms.
- **Meeting with Employee.** A meeting will normally be held with the employee to deliver the discipline and counsel with the employee.
- **Discipline Must Be Signed.** All documentation must be signed by the appropriate supervisor(s) and the employee. The employee's signature is merely an acknowledgement of receipt, so refusal to sign is considered insubordination. If the employee refuses to sign, the supervisor/Department Head will so note on the document.
- **Distribution & Filing.** A copy of the discipline is given to the employee and the original goes to HR where it will be placed in the employee's personnel file.
- **Firefighters & Police Officers – Written Complaint Required.** In accordance with the Texas Government Code, a written complaint is required before any discipline can be taken against a firefighter or police officer. The person making the complaint, whether internal or external to the Department or City, must sign the complaint and a copy must be given to the employee within a reasonable time after it is filed. The firefighter/police officer cannot be terminated until after the complaint is investigated and evidence exists to prove the allegation of misconduct.
- **Unpaid Suspension, Demotion, or Termination.** In addition to the other steps set out in this policy, unpaid suspensions of one day/shift or more, demotion, or termination require the following:
 - **Notice of Proposed Discipline.** The Department will give the employee a written notice of the proposed discipline, setting out information such as the allegation(s) of misconduct/unacceptable performance, a summary of the facts, investigation results, policy violations, prior discipline, and the proposed discipline. The notice will normally be provided to the employee at least 48 hours in advance of the pre-disciplinary conference, with a copy to HR.
 - **Pre-Disciplinary Conference.** An informal, pre-disciplinary conference will normally be held to provide the employee with an opportunity to make a statement and present any documentary information they believe is relevant to the disciplinary decision. The Department Head (or designee), the affected employee, an HR representative, and anyone else deemed necessary by the City typically attend the meeting. HR coordinates with the Department to schedule and notify employees of the date, time, and location of the conference, usually at least 48 hours in advance.

In certain cases, the CMO may make exceptions to this policy, *e.g.*, if safety concerns exist. If this occurs, an employee may be placed on an unpaid suspension or terminated without a notice of proposed discipline and/or without a pre-disciplinary conference.

Administrative Leave. During an investigation/review into alleged misconduct/unacceptable performance and/or pending discipline, employees may be placed on administrative leave in accordance with the City's Administrative Leave Policy.

Disciplinary Appeals. Eligible employees may appeal an unpaid suspension of 1-day or 1-shift (or more), demotion, or termination. (These are the only employment actions that are appealable.) Appeals are conducted informally in a meeting format.

- **Eligible Employees.** Only regular full-time and regular part-time employees who have successfully completed their new-hire performance probation are eligible to appeal. Employees who resign from

City employment, including those who resign in lieu of termination, are not eligible to file an appeal. Municipal officers and seasonal/temporary employees have no right of appeal.

- **Appeal Process.** Appeals are coordinated by and through HR. Appeals must be submitted to HR on the City's Employee Appeal Form. Unsigned, undated, and/or incomplete Forms will not be considered. Employees should attach any documentation which helps to explain their appeal. Appeal forms are available from HR.
- **Deadline for Filing.** Appeals must be filed within five days of the disciplinary action being appealed. The deadline may be extended by the CMO under extenuating conditions. In this policy, "days" means days that City Hall is open for business, *i.e.*, Monday through Friday, excluding observed holidays.
- **Meeting with City Manager.** Appeals are heard by the City Manager who will try and schedule the appeal meeting within five days of receiving the appeal. Normally, the employee, the Department Head, HR, and supervisor(s) attend the appeal meeting. If the City Manager needs additional information, they may talk to other witnesses and/or gather additional information. If necessary, the City Manager may also talk to the appealing employee again. The City Manager will try to provide the employee with a written decision within five days of the appeal meeting. The City Manager's decision is final; however, in limited situations, the City Manager's decision may be reviewed by the Mayor.

Discipline of Municipal Officers. The City Manager, in consultation with the Mayor, is responsible for discipline of employees who are also municipal officers, which currently includes only the City Secretary and the Municipal Court Judge. Provided, however, that termination of a municipal officer must be carried out by the City Council in accordance with applicable law. Municipal officers have no right of appeal if they are terminated.

Discipline of the City Manager. Discipline of the City Manager is conducted by the Mayor and/or the City Council. The City Manager has no right of appeal under this policy.

6.5 INVESTIGATIONS

Workplace investigations are sometimes necessary to gather information and/or to comply with various laws. The reasons for an investigation vary, but often involve allegations of misconduct including discrimination or harassment, theft, substance abuse, violations of City policies, citizen complaints, threats and other safety issues. Investigations arising under the City's EEO & Prohibited Harassment Policy will be coordinated by HR in consultation with the City's legal counsel unless the City Manager or Mayor directs otherwise. Other investigations may be conducted by the appropriate Department as authorized by the CMO. The City may bring in an outside investigator in appropriate cases.

Cooperation. Employees are required to fully cooperate with the City during a workplace investigation and to answer questions truthfully and fully.

Background Checks. The City may conduct a background check on employees as part of an investigation. See Background Checks Policy.

Searches. The City may conduct unannounced searches or inspections of the work site, including but not limited to City property used by employees such as lockers, file cabinets, desks, offices, vehicles, cell phones, cameras, computers, and electronic data and files, whether secured, unsecured or secured by a lock provided by the employee. If reasonable suspicion exists, the City may also conduct unannounced searches or inspections of the employee's personal property located on City premises, including vehicles parked on City parking lots. Searches conducted as part of an investigation must be authorized and conducted under the direction of the CMO.

No Expectation of Privacy. Employees have no expectation of privacy when using any of the City's information systems or in City property used by employees such as lockers, file cabinets, desks, offices, vehicles, cell phones, cameras, computers, and electronic data and files, whether secured, unsecured or

secured by a lock provided by the employee. Further, nothing in this policy prohibits the City from ensuring that employees are properly supervised and that City business continues uninterrupted. This means that an employee's desk, work area, files, vehicles, etc. are always subject to review and inspection by the City.

Polygraphs. Except for extraordinary circumstances, City employees (other than certain employees in the Police and Fire Departments) will not be subjected to polygraph examinations. Police and Fire Department employees will be required to submit to a polygraph test only in those situations permitted by law. Nothing in this policy prohibits an employee from volunteering to be polygraphed. No City employee, however, whether in Police, Fire or another City Department, may be polygraphed without the prior written authorization of the CMO.

Administrative Leave. Employees may be placed on administrative leave during an investigation. See City's Administrative Leave Policy.

6.6 DRESS & APPEARANCE

Dressing in a professional manner is an integral part of the City's culture. Our goal is to provide a flexible dress and appearance policy while also maintaining a conservative, professional work environment. The City's business casual policy is a privilege and must be followed or it may be lost. A minimum of business casual attire or appropriate duty uniforms are required at City Council meetings. When appearing in court on behalf of the City, formal uniforms or professional business attire is required. Professional business attire and appearance for certain business meetings, receptions, and other formal events may be required as circumstances dictate.

Guidelines on What to Wear.

- Clothing must be clean, pressed, and tidy; nothing wrinkled, torn, ragged, ripped or tattered.
- Clothing must provide full coverage to appropriate areas. This means not too short, tight, skimpy, backless, revealing, provocative, or see-through.
- Nothing excessively baggy or sloppy; no sweatshirts/pants, or hoodies unless expressly authorized by the Department Head or CMO. Pants must be worn at the waist.
- No athletic or recreational clothing unless authorized by the Department Head or CMO.
- Slacks and khaki-type pants are appropriate in office environments, and more durable pants such as jeans are appropriate for field work.
- Capri pants can be worn on "casual days."
- Shirts must be tucked in unless specifically designed to be worn outside pants or skirts, or as otherwise authorized by the Department Head or CMO.
- Dresses/skirts must be no shorter than 2 inches above the top of the knee; no low-cut tops; no bare shoulders; tank tops and spaghetti-type straps must be covered with a sweater or jacket; appropriate undergarments required.
- Dress shoes, loafers, boots, and dressy sandals are appropriate; socks/hosiery are appropriate for most closed toed shoes; casual flip-flops not allowed. No athletic shoes, unless authorized by the Department Head or CMO.
- No hats or caps unless part of approved uniform, or as otherwise approved by the Department Head or CMO.
- Nothing with suggestive or obscene messages or that depicts/endorse alcohol, tobacco products, drugs, pornography, or other inappropriate or controversial items.

Grooming & Hygiene.

- Personal grooming, cleanliness, and hygiene are essential.
- Daily brushing of teeth, bathing and use of deodorant are expected.

- Employees who exercise during the workday must shower and reapply deodorant before returning to work.

Uniforms. The City supplies Fire, Police, Public Works, and various other City personnel with uniforms. Employees whose job requires a uniform will be told how and where to obtain them. Uniforms must be clean and neat; hats/caps must be worn forward. Uniforms can only be worn on duty and while commuting to and from work. City uniforms cannot be used by City employees outside of work for personal use by any third party or in any way that might embarrass the City. Police officers may wear their City uniforms for outside employment if they have the Police Chief's prior written authorization. When wearing a City uniform, employees must represent the City appropriately. The City will purchase one pair of work boots, each fiscal year, for designated field employees. City purchased boots should only be worn while at work and during your commute to and from work.

Employees May Wear City Logo Clothing. Employees who are not required to wear a City uniform may be required to wear or may elect to wear City-approved logo apparel. Orders must be coordinated through individual Departments. City logos must comply with the City's basic design guidelines. When wearing a City logo or the City's name employees must represent the City appropriately.

Departmental Guidelines. Department Heads, with approval of the CMO, may establish specific dress, grooming, and uniform requirements for their Department, taking into account specific job duties, safety, etc. and may also make Departmental exceptions or impose more restrictive requirements, as appropriate. For example, Police and Fire Department employees have more restrictive dress and appearance policies, including additional limitations on jewelry, tattoos, etc.

Jewelry. Jewelry must be conservative and professional. No more than 2 earrings per ear. One small nose stud is allowed (2 mm or smaller); no nose rings. No tongue, eyebrow, lip, cheek, or other facial piercings, jewelry ornamentation. No grills, gauges, spacers, clear inserts, expanders, or large holes in ears. Teeth cannot be ornamented with design, jewels, initials, etc. Take special care to wear conservative and professional jewelry at Council presentations, other formal City presentations and other situations where you are representing the City.

Tattoos, Body Art, Branding & Other Body Ornamentation. Tattoos, temporary tattoos, body art, branding, and other body ornamentation is referred to collectively as "body ornamentation". No body ornamentation that is sectarian, extremist, violent, racist, sexual (including nudity), offensive, gang related, associated with acts of violence/hate; that depicts/endorse alcohol, tobacco products, drugs, pornography, or other inappropriate or controversial items; or that suggests, advocates, or symbolizes prejudice or discrimination on the basis of any protected characteristic set out in the City's EEO & Prohibited Harassment Policy. No body ornamentation on hands except a single "ring" tattoo. No "sleeve" body ornamentation. No visible body ornamentation above the shoulders/neckline, except for natural looking cosmetic tattoos such as eyebrows, eye liner, and lipstick. Visible body ornamentation that does not meet these requirements must be covered with clothing, a plain skin-colored sleeve, a bandage, or make-up. This policy also prohibits split/forked tongues, intentional scarring, body mutilation, and/or any foreign object attached to or inserted under the skin on the hands, neck, face or head.

Hair. Hair, beards and mustaches must be clean and neatly trimmed. Hairstyles, colors, and lengths must be conservative and appropriate to the job; extremes of any type are unacceptable.

Make-Up & Nails. Makeup (e.g., eyeliner and eye shadow) cannot be excessive. Fingernails must be neatly trimmed and clean. Fingernails should be of moderate length; they cannot interfere with job duties. Nail polish should be of a single color; avoid decals, ornamentation, other decorations, and neon or fluorescent colors.

Perfume, Cologne, Fragrances & Other Odors. While at work and while on duty, employees should minimize the use of scented aftershaves, colognes, perfumes, lotions, air fresheners, and other scented

products due to potential chemical sensitivities of others in the workplace. Be mindful that personal body odors, including the smell of cigarette smoke on breath, hair and clothes, can cause discomfort to coworkers and members of the public.

Exceptions. Occasionally the CMO may declare a “casual day” or a Director may authorize a specific exception due to a special work assignment. Employees will be told if jeans, athletic shoes, sweatshirts, T-shirts, shorts, or other exceptions are allowed on such occasions. Employees may request an exemption based on cultural, religious, or medical reasons. Any exceptions to this policy must be approved by the CMO.

Enforcement. Employees and supervisors are responsible for ensuring compliance with this policy. In all cases, the City will make the determination as to acceptable dress, appearance and grooming. Employees with questions should ask their supervisor, Department Head, or HR. Employees in violation of this policy may be sent home; nonexempt employees will not be paid for work time missed, and exempt employees must make up time missed. Employees may also be disciplined, up to and including termination of employment.

6.7 USE OF CITY PROPERTY & EQUIPMENT

The City attempts to provide employees with adequate tools, equipment, vehicles and facilities appropriate to their position. The City requires employees to observe safe work practices and lawful, careful and courteous operation of vehicles and equipment.

Employee Responsibility. Employees are responsible for City property that is formally issued to them as well as for other items under their responsibility. Employees are prohibited from allowing unauthorized persons to use or access City property under their control. Employees cannot initiate or permit installation of any software or “app” on a City-owned electronic device without prior authorization from IT. Employees may be required to sign documentation evidencing their receipt of City property and authorizing payroll deductions for the cost of lost, damaged, or unreturned items. In addition to payroll deductions, the City may take other action to recover and/or protect its property.

Duty to Notify Supervisor. Employees must immediately notify the appropriate supervisor if any vehicle, equipment, machine, tool, or other item appears to be damaged, defective, or needs repair. The appropriate supervisor can answer questions about an employee’s responsibility for maintenance and care of equipment used on the job.

Personal Use Prohibited. City property may not be removed from City premises or worksites without advance authorization. Except for limited personal use that does not interfere with an employee’s job performance or result in additional costs to the City, City resources are not to be used for personal business without prior written approval of the Department Head or the CMO.

Policy Violations. Improper, careless, negligent, destructive, or unsafe use or operation of equipment or other violations of this policy will likely result in disciplinary action, up to and including termination of employment.

Return of City Property. Employees must immediately return all City property and equipment to the appropriate supervisor or HR upon separation of employment or at any other time when requested by the City.

6.8 DRIVING ON CITY BUSINESS

Employees are responsible for putting safety first whenever driving. Improper, careless, negligent, destructive, or unsafe use or operation of a vehicle is prohibited. Employees who drive as part of their job must:

- Maintain at least the minimum liability insurance required under Texas law.
- Follow applicable laws and speed limits.
- Inform their supervisor and HR of any change in status or if they are arrested, ticketed, charged, indicted, convicted, receive deferred adjudication or plead guilty or *nolo contendere* to any traffic or driving related matter.
- Have current, personal insurance coverage, provide proof of insurance upon request and maintain eligibility under the City's insurance policy.
- Drivers and passengers must use their seat belts when the vehicle is in operation.
- Employees impaired by alcohol or drugs cannot operate a vehicle while conducting City business.

City Vehicles. In addition to the above, when operating or riding in a City owned or leased vehicle, the following also apply:

- City vehicles may only be used for authorized official City business and driven only by authorized City employees and volunteers.
- Passengers must be City employees or others on City business.
- No personal use.
- Maintenance and use records must be completed as directed by the supervisor.
- Report broken, missing, or worn parts, tires, etc., or any needed maintenance of City vehicles to the appropriate supervisor immediately.
- Covered drivers must comply with applicable DOT regulations.
- No alcoholic beverages.
- No smoking, dipping, or e-cigarettes.

Vehicle Tracking/Monitoring. Some of the City's vehicles are equipped with GPS devices, cameras, software, and/or other tracking/monitoring systems. These systems generate data the City uses to monitor drivers and vehicle operations, including speed, location, idling, tampering, unauthorized use, and maintenance. The data will be used to monitor use, track fuel costs and mileage, increase driver safety, improve utilization efficiencies, and address vehicle misuse. The data will be regularly reviewed by the City. Access to vehicle tracking/monitoring software and data is limited; access is only allowed to those employees specifically authorized, in writing, by the CMO and only for the specific purpose and time period authorized by the CMO. Tampering, turning off, attempting to remove or disable GPS and/or other tracking/monitoring systems is prohibited. Because vehicle usage is monitored, employees have no expectation of privacy while operating or riding as a passenger in a City vehicle.

Take Home Vehicles. A City vehicle may be assigned to a position or an employee if the position routinely requires emergency call backs during off duty hours. Only employees who live within 30 miles of Princeton City limits are eligible for a take-home vehicle unless a specific exception is made, in writing, by the City Manager. Transporting passengers (other than those on official City business) and personal use of take-home vehicles, except to commute to and from work, are not allowed.

Accidents. Employees involved in an accident must immediately notify the proper law enforcement authority agency, their supervisor, and Department Head. Accident reports, along with any law enforcement report, must be given to HR as soon as possible.

Use of Cell Phone While Driving. While driving on City business or when using a cell phone to conduct City business, employees must use extreme caution. Employees should not make or receive cell phone calls while operating a vehicle unless using a hand's free device. Even when using hands-free technology, employees should safely park the vehicle during phone calls. While operating a vehicle, employees are not to use other cell phone features such as sending or receiving text messages, instant messaging, browsing the Internet, reading or sending emails, downloading files, playing games, or any other form of electronic

communication and data retrieval. In all cases, employees must know and follow applicable state and local laws governing the use of cell phones while driving. Additional safety guidelines include:

- Don't look-up or enter phone numbers while driving.
- Don't use phone in heavy traffic or bad weather.
- Use hands-free technology.
- Avoid stressful conversations while driving.
- Don't use handheld or other electronic devices that pose a distraction.

Driver's License/Driving Record. Employees who drive while carrying out their job duties must maintain a valid Texas driver's license, have an acceptable driving record as determined by the City, and inform their supervisor of any change in status. Employees are responsible for maintaining all special license classifications required by their job. HR may check driving records prior to and periodically during employment. Employees must provide the City with any authorization necessary for it to perform such checks. An unacceptable driving records includes, but is not limited to, more than 3 driving convictions in a 24-month period.

Policy Violations. Violations of any of the specific items listed above, as well as the improper, careless, negligent, destructive, or unsafe use or operation of a vehicle, may result in disciplinary action, up to and including termination of employment. Loss of take-home privileges for vehicles and/or restitution may also occur.

6.9 WEAPONS BAN & VIOLENCE PREVENTION POLICY

The City strives to provide a safe and secure work environment for its employees. This policy is designed to help prevent incidents of violence from occurring in the workplace and to provide for the appropriate response when and if such incidents do occur.

Zero Tolerance/Prohibited Conduct. Conduct prohibited by this policy includes harassment, intimidation, threats, and violent behavior by or towards anyone in the workplace, that is in any way job- or City-related, that is or might be carried out on City property, or that is in any way connected to City employment, whether the conduct occurs on- or off-duty.

All Weapons Banned. The City prohibits employees from carrying or using weapons, concealed or otherwise, on City property, while on duty, or at any time while engaging in City-related business. Prohibited weapons include firearms, clubs, explosive devices, illegal knives, etc., as defined by Texas Penal Code §46.01. The only exceptions to this policy are as follows:

- **As Necessary for Job Duties** – Employees required and specifically authorized to possess, transport or store a firearm or other weapon in the official discharge of their duties. This exception covers peace officers licensed by the City of Princeton;
- **City Attorney, Municipal Court Judge and Prosecutor** – The City Attorney and the City's Municipal Court Judge(s) and Prosecutor(s) are permitted to lawfully carry a firearm or other weapon on City property.
- **Personal Vehicle** – Employees who hold a valid concealed handgun license (CHL) under Chapter 411 of the Texas Gov't Code or who otherwise lawfully possesses a firearm may bring it onto a City parking area if it is kept in their locked, personal vehicle at all times. Firearms may not be removed from the personal vehicle and are not permitted inside a City building or other work area.

Mandatory Reporting. Employees must immediately report conduct prohibited by this policy regardless of how they learned of it. Even without an actual threat, employees must report any potentially threatening or violent behavior that might reasonably involve a City employee, is job or City-related, or that might be carried out on City property. Employees must make this report to their supervisor, Department Head, HR, and/or the City Manager, and if necessary, to the Police Department.

Protective Orders. Employees who apply for a protective or restraining order which lists a City location as a protected area must immediately provide, to both HR and the City's Police Department, a copy of the petition and declarations used to seek the order, and any resulting temporary or permanent protective or restraining order. Employees must immediately advise their Department Head and HR of any protective or restraining order issued against them.

Confidentiality. To the extent possible while accomplishing the purposes of this policy, the City will respect the privacy of reporting employees and will treat information and reports confidentially. Such information will be released or distributed only to appropriate law enforcement personnel, City management, and others on a need-to-know basis and as may otherwise be required by law.

City Property. For purposes of this policy, City property includes but is not limited to owned or leased vehicles, buildings and facilities, entrances, exits, break areas, parking lots and surrounding areas, recreation centers, swimming pools, and parks.

6.10 CELL PHONES, CAMERAS, & OTHER DEVICES

Phones & Other Devices. Personal calls and texts during work time must be brief and kept to a minimum. Cell phones and other devices must be on silent or vibrate mode while at work, unless your supervisor approves otherwise. Use of cell phones and other devices must not interfere with job duties or work performance. Excessive or disruptive personal calls, texts, etc. or other violations of this policy, will result in disciplinary action.

Voice Mail. From time to time, especially when you are on vacation, business trips, a leave of absence or otherwise absent from work, your supervisor or another employee may listen to your voice mail messages to better serve our citizens and to make sure City business is performed timely. Employees have no expectation of privacy in connection with any message left on a City cell phone or on its voice mail system. Outgoing voice mail messages should be updated to let callers know when you are out.

Cameras. Employees may not take unauthorized pictures or videos at work or while conducting City business. Under no circumstances may cameras be used to violate the City's EEO and Prohibited Harassment Policy to invade anyone's privacy, or to photograph confidential records or other information. Photographs and video of City property, buildings, equipment, furnishings, citizens, coworkers, and others with whom you come into contact as a result of your duties for the City may not be shared or posted to personal web pages, blogs, social websites or any other graphical publication without the prior written consent of your Department Head and/or HR unless doing so is part of your official City job responsibilities.

Driving with a Cell Phone. Employees are responsible for putting safety first whenever driving. While on City business and whenever driving a City vehicle, employees are not to take or make cell phone calls, texts, or use other phone features, other than GPS, while driving unless using a hands-free device. Safety must always be employees' first priority when driving.

6.11 VISITORS IN THE WORKPLACE

To provide for the safety and security of City employees and property, only citizens and other authorized visitors are allowed in the workplace. The City's prohibition against unauthorized visitors helps to maintain safety standards, protects against theft, and ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Absent extraordinary circumstances and/or the express approval of the appropriate Department Head, children are not permitted to accompany employees to work. This policy is not meant to prohibit children from, on occasion, visiting their parents at work. Such visits, however, must occur during the employee's

scheduled break or lunch period, and may not negatively impact the work environment of the City or other employees.

Employees are responsible for the conduct and safety of their visitors. If you see an unauthorized visitor on the premises, notify your supervisor or Department Head immediately. When a City facility is open to the public after normal business hours for the purpose of a public meeting or gathering, assigned City staff will be primarily responsible for all non-staff ingress and egress to the facility and securing the building after the meeting or gathering.

6.12 ELECTRONIC & DIGITAL COMMUNICATIONS – ACCESS & USE

The City provides computer networks, Internet access, Instant Messaging, email, telephones, computers, laptops, tablets, cell phones, pagers, digital cameras, voice mail, fax, and other communication systems for use by City employees in the performance of their job duties. These communication systems, technology, and devices are referred to collectively in this policy as “systems”. These systems are designed to support and enhance the communication, research, and information capabilities of City employees and to encourage work-related communication and sharing of information. This policy governs user behavior pertaining to access and usage of City systems. This policy applies to all City employees and anyone else who uses City’s systems. The City’s systems must be used in a professional, responsible, efficient, secure, ethical and legal manner.

Internet, Instant Message and Email Access. Each City employee is provided with a City email address. Users must acknowledge their understanding of this policy and its guidelines as a condition of receiving access.

Signature Block. Employees must use the “official” City signature block approved by the City Manager on all emails. No additions or alterations are allowed.

Acceptable Use. Acceptable uses of City systems are limited to those that support its operational needs, such as reference, research, internal/external communication, and the user’s specific job duties. Network users are encouraged to develop uses which meet their individual needs and which take advantage of the City’s internal network function. Use of City systems, including the Internet and email, is a privilege. Minimal personal use is allowed as long as such use is not excessive, does not adversely impact job performance or City business, does not result in additional cost to the City, and does not violate this or any other City policy. The City is not responsible for personal communications sent using its systems.

Unacceptable Use. It is impossible to list all unacceptable content and uses of City systems. The following examples are typical of those that will violate this policy:

- Recklessly exposing the City’s systems to malware, viruses, or other security threats, whether by deliberate act, mistake, or omission (e.g., failure to install security updates).
- Installation of any software or application (“app”) without prior approval by IT.
- Failure to take adequate measures to safeguard confidential information an employee accesses pursuant to performance of their job duties, including confidential information of the City, City employees and/or officials, and members of the public.
- Using profanity, obscenity, or other content that is likely to be offensive, harassing, or unprofessional.
- Connecting to sites or forwarding content that is likely to be offensive to others, including sites or information containing full or partial nudity or sexual content.
- Copying or downloading commercial software in violation of copyright law.
- Using for financial gain or for any commercial activity unrelated to City business.
- Use that creates a security breach of City networks or systems, including the disabling or circumventing any anti-virus, filtering, security, firewall, or other protective software or features approved by IT.
- Looking or applying for work or business opportunities other than for internal City postings.

- Accessing any site or creating or sharing derogatory or offensive content regarding race, religion, color, sex, national origin, age, disability, genetic information, physical attributes, or sexual identity, orientation or preferences. This includes cartoons and jokes.
- Transmitting or sharing coworkers' health information without their permission.
- Unauthorized disclosure of health information protected by HIPAA.
- Expressing opinions or personal views that could reasonably be misconstrued as being the City's.
- Use for any illegal purpose or in violation of City policy.
- Accessing, displaying, downloading, or distributing sexually explicit, obscene, harassing, offensive, unprofessional, or other inappropriate messages or content.
- Sharing or otherwise failing to safeguard a password.
- Playing games and/or gambling.

Filtering. The City uses software to identify and/or filter Internet access and other content on its systems. These filters are designed to prevent employees from accessing, viewing, sending, or receiving inappropriate content, such as violence/profanity, full or partial nudity, sexual or deviant acts, militant/extremist, and illegal activities. The City reviews its filtering on a periodic basis and may modify its list of prohibited content without notice. HR may grant exceptions to filtering if it impedes an employee's ability to perform their job duties.

Responsibility. Employees may not use another employee's password. The person in whose name a City-provided Internet, email or other system account is issued is responsible at all times for its proper use. Email communications should not contain slang or other abbreviations commonly used when text messaging.

No Right of Privacy/City Will Monitor. Users of City systems are not to assume they have any degree of anonymity, and employees have no right to privacy with regard to such systems. Personal passwords are not an assurance of confidentiality. The Internet itself is not secure. To ensure proper use of its systems, the City monitors their use. City management has the ability and will, with or without advance notice, monitor and view both personal and business usage, including but not limited to: email, texts, voice mail, instant messages, and blogs; information and material accessed, transmitted, received, and/or stored using City systems; and user Internet access and usage patterns, including social media. Monitoring is necessary to ensure City resources are devoted to maintaining the highest levels of productivity, service, and confidentiality, as well as proper use and compliance with this and other City policies. Even personal, password-protected, web-based accounts used or accessed on City computers or other systems are subject to review, so employees have no expectation of privacy. Contents of emails, texts, etc., including those of a personal nature, stored on a hard drive can be viewed and retrieved.

Copyright Restriction. Any software or other material, including music, accessed or downloaded onto a City computer or other electronic device may be used only in ways consistent with the licenses and copyrights of the supplier, author or owner. Prior written authorization from IT is required before introducing any software into the City's systems. Employees may not download music, entertainment software, games or any other software unrelated to their work.

6.13 SOCIAL MEDIA

You are responsible for what you post online, whether you post it during or after work hours. Online conduct that adversely affects your own or a coworkers' job performance or that adversely affects the legitimate business interests or operations of the City or its employees, citizens, vendors, contractors, and others who work with or on behalf of the City, may result in disciplinary action up to and including termination. Without express written authorization from the CMO, employees do not have authority or permission to blog or post about the City or its products or services.

Social Media. Social media covers many things. It includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary; personal web sites; social networking or affinity web sites; web bulletin boards or chat

rooms; and all other forms of electronic communication whether or not associated or affiliated with the City. Social media includes Twitter, Facebook, YouTube, Instagram, LinkedIn, and other social networking sites, and other similar technologies.

Social Media – City Business. Certain employees are required to use social media in carrying out their job duties. This authority is specifically set out in their job description or they must have specific, written authorization from the CMO to post to social media sites and to represent themselves as a City spokesperson. Without such authorization, employees are NOT authorized to speak for or on behalf of the City via social media. Images of members of the public should not be posted or distributed without an appropriate model release, unless the nature of the image makes identification impracticable (i.e., cropped to exclude identifying features such as faces, out-of-focus in background) or the picture was taken during a public event (crowd shots). Questions regarding this aspect of this policy should be directed to the CMO.

Express Only Personal Opinions. Unless your job duties specifically require you to post to social media and represent yourself as a spokesperson for the City or you have received the CMO’s specific written authorization to do so, you may not speak for or on behalf of the City via social media. If the City is a subject of content you are creating, be clear and open about the fact that you are an employee and that your views do not represent those of the City. If you do post something online related to the work you do or topics associated with the City, make clear you are not speaking on the City’s behalf. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of the City of Princeton.” Only the CMO can grant exceptions to this policy, and any exception must be authorized in writing.

Social Media at Work – Personal Use. Remember that access to the internet using City hardware and/or its network is a privilege and requires professional, responsible, and ethical use. Minimal use of social media sites may be allowed under this policy, but such use cannot be excessive, impede job performance or the performance of City operations or violate City policies. Do not use a City email address to register for social networks, blogs or other online sites for personal use.

Know & Follow the Rules. The City expects employees to use their common sense and good judgment, follow the guidelines set out in this policy, and follow other City policies and procedures when posting information to social networking sites. Inappropriate postings that include discriminatory, malicious, or abusive remarks, harassment, threats of violence, or similar inappropriate or unlawful conduct are not permitted.

Be Respectful. Be fair and courteous to other employees, citizens, vendors, contractors, and others who work with or on behalf of the City. It is best to resolve work-related issues by speaking directly with your coworkers, supervisors, and managers and by utilizing the City’s Open Door Policy rather than by posting complaints to a social media outlet. Nevertheless, if you do decide to post complaints or criticism, avoid using statements, photographs, video, audio, or other content that reasonably could be viewed as malicious, obscene, threatening, intimidating, harassing, or bullying, or that disparages other employees, citizens, vendors, contractors, and others who work with or on behalf of the City. Examples of such conduct might include offensive posts meant to intentionally harm someone’s reputation or posts that contribute to a hostile work environment on the basis of race, sex, disability, national origin, religion, or other status protected by law or City policy.

Be Honest and Accurate. Never post any rumors or information you know to be false or misleading about the City, other employees, citizens, vendors, contractors, and others who work with or on behalf of the City.

Maintain Confidentiality. Do not disclose trade secrets, private, proprietary, or confidential information of the City or other third parties that you are privy to because of your employment by the City. Do not disclose internal reports, policies, procedures, or other confidential communications. Never disclose medical, financial, personal or other confidential information about City employees that you have (or had)

access to a result of the job you do for the City. Do not post personal information about others unless you have received their permission to do so.

Friending on Facebook. Employees are encouraged to “friend” the City on Facebook, “follow” the City on Twitter, and support the City’s other marketing efforts. Employees, especially supervisors, should, however, think carefully before “friending” and/or sharing personal information with other City employees online. Sometimes, our personal lives are best kept separate from our work lives. Remember that employees, especially supervisors, are required to report certain conduct including conduct that violates the City’s EEO and Harassment Policies. There is no requirement that an employee be online “friends” with anyone they work with.

References & Recommendations. Employees are prohibited from providing employment references or recommendations whether online (e.g. LinkedIn) or otherwise. All requests for references, recommendations, and employment verifications must be directed to HR.

No Retaliation. The City prohibits retaliation of any kind against an employee for reporting a possible violation of this policy or from cooperating in an investigation.

Monitoring. Remember that on-line postings are not typically private. The City may monitor access, use, and postings to the Internet to ensure compliance with this and other City policies, to conduct internal investigations, to assist in management of information systems, and so on.

Applicable Law. Employees must follow all federal, state, and local laws with regard to information sent through the Internet. This policy will not be interpreted or applied to restrict or interfere with an employee’s rights or protections under state or federal law.

Questions. Please direct questions regarding this policy to HR.

6.14 PROHIBITION OF SECRET TAPE, VIDEO, & DIGITAL RECORDING

The City wants to facilitate an atmosphere of trust and confidence among employees. Trust and confidence can be damaged if employees make secret tape, video, digital or other recordings. Moreover, secretly recording conversations may constitute a crime in certain circumstances. To avoid these situations, it is the City’s policy that employees obtain the prior permission of those they wish to record before doing so. Exceptions to this policy will be made as appropriate so that recordings can be made of City Council meetings, board and commission meetings, certain presentations, training and classes, internal investigations, and law enforcement operations (including to record interviews, to conduct investigations, and for body and other cameras used by police). Exceptions to this policy must be authorized in advance by the CMO. If an exception is authorized, employees being recorded will usually be informed of the recording in advance.

6.15 BULLETIN BOARDS

Only City-related items may be posted on City bulletin boards. The City uses its bulletin boards to post official City matters such as legally required posters and notices, safety rules and related information, City and Departmental memos and announcements, job openings, new policies, and changes to existing City policies. Employees are responsible for regularly checking and reading the information posted on bulletin boards in their work and break areas. Items of a personal nature or postings of non-City related material are generally not permitted on City bulletin boards. Employees must obtain specific approval from the CMO before posting personal items on a City bulletin board.

6.16 HIPAA PRIVACY

Certain City employees may be subject to various laws governing patient privacy, including the Health Insurance Portability and Accountability Act (HIPAA). Under HIPAA and City policy, employees must aggressively protect the privacy and security of all patient health and other Protected Health Information (PHI) in any form, including electronic, paper, oral, and visual. Employees are prohibited from posting or sharing anything regarding patient care, PHI, or a patient's condition on social media. Even the fact that an individual was or was not provided with medical treatment can be PHI. Patient health information and other PHI is to be discussed, disclosed, or shared only on a strict need to know basis and only as necessary in the normal course of business for patient treatment and payment or as necessary for City operations.

6.17 POLITICAL ACTIVITIES

City employees will not be appointed, retained, or terminated on the basis of their political support or activities. City employees are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and this policy. No City employee is prohibited from becoming a candidate for public office, but must still fulfill all the duties and responsibilities of their job. However, City employees may not:

- **General Limitations.** City employees may not:
 - Use their position or office to coerce political support from employees or citizens.
 - Use their official authority or influence to interfere with or affect the result of a campaign issue, an election or nomination for public office.
 - Make, solicit, or receive any contribution to the campaign funds of any candidate, directly or indirectly through an organization or association, for the City Council, or take any part in the management, affairs or political campaign of any such candidate, except as permitted by law; provided nothing herein shall infringe upon the rights of employees to seek office themselves or their constitutional rights to express their opinions or to cast their votes.
 - Use working hours or City property in any way to solicit or receive any subscription, contribution or political service to circulate petitions or campaign literature on behalf of an election issue or candidate for public office in any jurisdiction.
 - Contribute money, labor, time or other valuable thing to any person for City election purposes, except as permitted by law.
 - Hold an appointive or elective office of public trust where service would constitute a direct conflict of interest with City employment, e.g., City of Princeton City Council, Princeton ISD, and Collin County. Upon being elected to such an office, an employee must immediately resign or will be dismissed upon failure to do so.

- **Fire and Police Department Employees.** While in uniform or on active duty, employees in the City's Fire and Police Departments may not engage in a political activity relating to a campaign for an elective office. For purposes of this policy, an employee engages in political activity if they:
 - Make a public political speech supporting or opposing a candidate
 - Distributes a card or other political literature relating to the campaign of a candidate
 - Wears a campaign button
 - Circulates or signs a petition for a candidate
 - Solicits votes for a candidate, or
 - Solicits campaign contributions for a candidate

- **Hatch Act.** Employees whose position is funded in whole or in part by a federally funded program must also comply with the applicable provisions of the federal Hatch Act, e.g., they cannot be candidates for public office in partisan elections; use official authority or influence to affect the results of an election; or directly or indirectly coerce subordinates to make contributions to political candidates.

6.18 HOUSEKEEPING & PERSONAL BELONGINGS

Each employee is responsible for maintaining a neat, sanitary and orderly work area, including, vehicles, common areas, offices and other workspaces. Take responsibility and keep your area and the common

areas neat and clean. If you see something that can be ‘tidied up,’ go ahead. Clean off the counter. Throw away the scrap paper. Let’s all take responsibility. This is especially true when visitors are expected or are present. Employees may be allowed to use and display a few, small personal items appropriate to their position if inoffensive and if they do not detrimentally affect the work environment. The City is not responsible or liable for personal property of employees that is lost, stolen, or damaged.

6.19 TELEPHONE & VIDEO CONFERENCING

From time to time, employees may participate in meetings with geographically dispersed participants using interactive audio or audio-visual technology. The most common types of teleconferences are conference calls (voice only), videoconferences (voice and video), and web-based conferences. These meetings may take place via Zoom, Skype, GoToMeetings, WebEx, Microsoft Teams, BlueJeans, or similar platforms. Video conferencing software typically comes with screen sharing, file transfer, group chat, and other features that enhance collaboration, so video conferencing may be more desirable than group conference calls.

If you are required and/or expected to participate in a video conference, you must have a stable internet connection, a video display device (laptop, desktop monitor, or other appropriate screen), appropriate software, and other peripherals (e.g., webcam, microphone, headset, speaker, etc.).

Etiquette Guidelines for Video Calls:

- Be on time; test your technology ahead of time.
- Share an agenda and exchange documents before the meeting when appropriate.
- Ensure appropriate privacy. For example, do not engage in confidential communications in a public space or other area where you can be overheard or confidential information seen.
- Place yourself on mute when not speaking and unmute when you are.
- Don’t talk over others, especially the presenter. Ask questions using the text chat or “raise hand” feature or wait until the presenter asks for questions. If you interrupt, you are likely to disrupt the flow of the meeting and make it difficult for others to follow along.
- Consider the security and privacy of your meeting when selecting/using teleconferencing platforms. Take the appropriate steps to ensure that video conferences are not “Zoom bombed.” Check with your supervisor and/or IT about requiring passwords for conference links, encryption capabilities, secure storage of recorded video conferences, and other security measures.
- Close the door to your office or other work location. If working away from the office, before your meeting inform family members, roommates, friends, etc. that you are not to be disturbed, and then close the door.
- Minimize noise and distractions such as paper shuffling, typing on a keyboard, and other background noises. Turn off or silence your cell phone ringer, pings, and other notifications.
- Stay put. Do not take your mobile device into the restroom when on a voice or video call or conference.
- Use professional backgrounds and filters. If not using a background, make sure the space around you is clean and professional. Remove distractions behind you.

SECTION SEVEN: Employee Insurance & Retirement Benefits

7.1 GROUP INSURANCE BENEFITS

Employees hired to fill regular full-time positions are typically eligible for current City- sponsored group medical, hospitalization, dental, accident, and/or life insurance benefits. (Part-time employees who work the requisite number of hours are eligible for group health insurance.) There is currently no waiting period for group health insurance, but that is subject to change. In all cases, employees are subject to the applicable waiting period as the insurance provider may require and as permitted by applicable law. Employees may be required to pay some or all of the premium for their own coverage. Spouse and/or dependent coverage may be available under some programs at the employee's expense through payroll deductions. This is only a general description of available group insurance coverage and related programs. For additional information regarding the City's group insurance policies, you may review the appropriate summary Plan Description and/or contact HR.

7.2 COBRA/GROUP HEALTH CONTINUATION COVERAGE

COBRA is a federal law that requires most employers who sponsor group health plans to offer employees and their families the opportunity to temporarily extend their group coverage at group rates in certain instances where coverage under the employer's group health plan would otherwise terminate. The employee is responsible for paying for the cost of any such continuation coverage, plus a small administration fee.

Under COBRA, employees may elect COBRA continuation coverage for up to 18 months after termination of employment (unless the employee is terminated due to gross misconduct), or if an employee's hours are reduced to such an extent that the employee no longer qualifies for participation in the group health plan. Under other circumstances, COBRA coverage is available for up to 36 months following a qualifying event. Employees must notify HR within 60 days of the occurrence of the employee's legal separation or divorce and of a covered dependent ceasing to qualify as a dependent under the medical plan.

Detailed COBRA notices are given to employees at the time of hire (or when they become eligible for participation in the City's group health plan) and again when a qualifying event occurs. For more complete information on COBRA and your health plan, you should review your summary plan description or review a copy of the full health plan available from HR.

7.3 UNEMPLOYMENT INSURANCE BENEFITS

The program provides weekly benefits if you become unemployed through no fault of your own or due to circumstances described in the law.

7.4 TEXAS MUNICIPAL RETIREMENT SYSTEM (TMRS)

The City participates in the Texas Municipal Retirement System (TMRS) to provide retirement benefits for employees. Full-time employees are eligible for participation immediately upon employment. Regular part-time employees who work at least 1,000 hours or more per year are also eligible for participation immediately upon employment. Temporary employees are not eligible for participation in TMRS.

7.5 SOCIAL SECURITY

All employees are covered by the Federal Social Security Act. A federally mandated percentage of your salary is deducted from your paycheck to pay the employee's portion of this protection, and the City matches your deduction dollar for dollar.

The plan is designed for your future security and that of your dependents and provides for retirement, disability, death, survivor and Medicare benefits.

SECTION EIGHT: Employee Separations

8.1 EMPLOYEE SEPARATIONS

Resignations. Employees who intend to resign are requested to notify their Department Head and HR, in writing, at least 10 business days prior to their last day of work. Department Heads are requested to give 30 days' advance notice. A resignation, whether verbal or written, is deemed to be accepted by the City when communicated to the City. Employees who fail to give 10 business days' notice are typically not eligible for rehire or for payment of accrued leave. Supervisors are responsible for immediately notifying HR when employees give their notice.

Terminations. The City may terminate an employee's employment as a result of unsatisfactory performance or conduct and/or violation of City policies or procedures, including a new hire who fails probation. City employees are employed at will, meaning they can be terminated for any reason at any time.

Job Abandonment. Employees who fail to properly notify the City of their absence from work or who are absent without authorization for one day/shift or more will normally be considered to have abandoned their job and will be terminated.

Reductions-in-Force/Reorganization. An employee may be separated from City service when it is deemed necessary by reason of shortage of funds or work, position elimination, material change in the needs of the City, or for other reasons which are outside employees' control and which do not reflect discredit upon their service. Factors considered in determining employees impacted by a reduction-in-force include job requirements, special skills and experience, past job performance and disciplinary history, and length of service. A reduction in force is not considered discipline and is, therefore, not appealable.

Medical Separation. An employee may be separated from City employment if they, for medical reasons, are unable to perform the essential functions of their job, with or without a reasonable accommodation.

Retirement. Employees who wish to retire must notify their Department Head and HR, in writing, at least 30 days prior to the date of retirement so that the required paperwork can be timely submitted to the Texas Municipal Retirement System (TMRS).

Death. If a City employee dies, their designated beneficiary or estate will be paid all separation pay owed to the employee at the time of death.

Exit Interviews. HR may meet with separating employees for an exit interview. The purpose of the exit interview is to finalize separation pay, return City equipment, provide explanation of any continuing benefits, review employment history, discuss reasons for separation, and solicit constructive feedback to improve working conditions. Information shared by the employee will not be included in their file.

Separation Pay. Separating employees receive all pay to which they are legally entitled, including any unused compensatory time. Any debt owed to the City by the employee will be deducted from the employee's final paycheck(s). Final payment of compensation may be delayed pending return of City property (including uniforms, if any), completion of necessary paperwork, and other requirements of separation. Normally, employees who resign in good standing and who have successfully completed their new hire probation are paid for accrued and unused vacation upon separation. Employees are not paid for unused sick time or extended sick leave. Comp time and vacation pay are paid at the employee's rate of pay at the time of separation.

Ineligibility for Rehire. Employees are not eligible for rehire if they:

- Do not provide and work at least a 10-business day notice period (unless HR approves otherwise).

- Are terminated for unacceptable performance or conduct as determined in the City’s sole discretion.
- Resign in lieu of termination or in response to an investigation of misconduct.
- Are treated as having voluntarily resigned as a no/call no show.

Departmental Personnel Files. When employment ends, the employee’s Department Head is responsible for timely forwarding all Departmental files and other documentation regarding the separated employee to HR.

8.2 LONG-TERM ABSENCE/TERMINATION

To ensure the City is adequately staffed, able to operate effectively, and meet its obligations to its citizens, employees are expected to be reliable and consistent in their attendance. The City recognizes, however, that employees may sometimes need an extended time away from work. Whenever possible, and as required by applicable law, the City works with employees to allow for long-term absences.

Length of Long-Term Absence. It is the City’s expectation that employees will return to work and resume their job duties within a reasonable period of time. What is reasonable will depend on a number of factors. If an absence is approaching 180 days, HR will work with the employee’s Department to determine if the City can continue to reasonably accommodate the employee’s absence. Thereafter, additional time off may be approved in 30-day increments, up to a maximum long-term absence of one year. An employee who is absent and/or unable to perform their normal job duties for a year’s time, whatever the reason, will normally be terminated. Brief appearances at work during an extended absence does not reset the clock for purposes of this policy. Likewise, time worked (whether in a light/modified duty assignment or otherwise) when employees are unable to perform their official job duties (either with or without a reasonable accommodation) is treated the same as an absence for purposes of this policy.

Required Documentation. Employees on an extended absence are responsible for providing HR with a written update on their status and intent to return to work every 30 days. For medical absences, the update must also include documentation from their doctor as to their status, including their anticipated return to work date, what if any accommodations might be needed when they are released, and the anticipated duration of any anticipated accommodations.

No Guarantee of Ongoing Employment. Employment with the City is at-will. This policy does not guarantee ongoing employment for any length of time.

Covered Absences. The maximum absence allowed under this policy covers all absences, whether paid or unpaid (except for military leave). Any unpaid absence must be formally approved in accordance with the City’s Unpaid Leave of Absence Policy. Under that policy, an unpaid leave must be coordinated by and through HR and requires the approval of the CMO.

FMLA & ADA. This policy will be administered consistently with the City’s obligations under the FMLA, the Americans with Disabilities Act, and other applicable law, including considering extending leave as a reasonable accommodation.

8.3 REFERENCES

This policy covers employee references, employment verification, and other requests for information about current and former City employees. This policy covers all such requests, whether written, verbal or via social media such as LinkedIn and Facebook.

Only HR Can Provide Information. Only HR is authorized to provide information of any kind regarding current or former employees. All requests for information regarding current and former City employees

must be immediately forwarded to HR. Employees should never make “off-the-record” comments about current or former employees, including on social media.

Type of Information Provided. Typically, the City releases only dates of employment and job titles to third parties unless the employee or former employee has signed a written authorization to disclose additional information. The City may be required to release additional information in accordance with an open records request or as needed to carry out City business as determined by the CMO.