



# **CITY OF ABILENE**

**PERSONNEL**

**POLICY**

**and**

**PROCEDURES**

**MANUAL**

**Revised and Printed January, 2012**

## FOREWORD

This manual contains statements of personnel policies and philosophy. It is designed to be a working guide for supervisory staff to ensure equitable treatment to all employees in a consistent and objective manner.

Policy statements in this manual are intended to provide guidance on most situations that may arise. In cases where circumstances are not specifically covered by policies, the Human Resources Division should be contacted.

Policies and procedures are subject to modification and/or further development in response to growth and the changing environment. The City of Abilene reserves the right to delete, change, and/or add policies at any time for any reason without notice. In addition, policies in this manual are not contractual in nature; employment continues to be at-will and cannot be altered verbally. No contracts of employment may be made without the consent and signature of the Director of Administrative Services.

Managers and supervisors are urged to notify the Human Resources Division whenever clarification or improvements can be made in the administration of personnel policies.

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**POLICY STATEMENT**

Employees may be granted time off for short-term absences when there are justifiable reasons.

Each supervisor is expected to maintain control of absences within his or her department and to administer the use of personal absences in a consistent and equitable manner.

**Any employee who is absent from work for one year, for whatever reason, will be terminated.**

**GUIDELINES AND PROCEDURES**

Funeral Leave

Regular employees may be granted up to three (3) days off with pay to arrange or attend the funeral of a member of the immediate family. Any additional time off must be approved by the supervisor and will be deducted from vacation time.

For the purposes of this policy, ‘immediate family’ means an employee’s spouse, children, step-children, parents, parents-in-law, grandparents, grandchildren, brothers, sisters, step-brothers, step-sisters, or a member of the employee’s household.

Request for funeral leave must be initiated with the employee’s supervisor and be processed through the Human Resources Division.

Leave Without Pay

Employees may be granted a short-term leave without pay for up to five (5) consecutive workdays for justifiable personal reasons. Such an absence is left to the discretion of the employee’s supervisor. Requests for leave without pay for more than five (5) days must be approved by the Department Director.

**An employee who is on leave without pay for a full calendar month will not accrue sick or vacation time.**

**POLICY STATEMENT**

Employees are required to be at their work stations in accordance with the established working hours for their respective work units.

Supervisors are responsible for maintaining attendance and tardiness records on their employees.

**GUIDELINES AND PROCEDURES**

Notification

Employees who expect to be absent from duty or tardy for any reason shall notify their supervisor or Division Manager, stating the reason for the absence, as soon as possible -- normally no later than their scheduled time for beginning work. In addition, employees are expected to keep their supervisor informed daily of extended absences.

Employees who are absent from duty due to illness or injury may be required, at the discretion of the supervisor, to present a doctor's statement on the nature of the illness or injury.

Prior Appointments (Doctor or Dentist Visits, etc.)

Employees are expected to schedule medical appointments so that there will be minimal disruption to the work areas. For regularly scheduled appointments, employees are to give the supervisor as much notice as possible of the upcoming appointment.

While at Work

Except in emergency situations, employees who become ill, suffer an injury, or who have another reason for leaving their work units during working hours shall request permission from their immediate supervisor or Division Manager before leaving work.

Tardiness and Excessive Absenteeism

Employees are required to be at work at the established starting time. Employees with absences or tardiness instances that are deemed inappropriate or excessive by the supervisor should be counseled by the supervisor and may include disciplinary action for the employee. Counseling and disciplinary action should be documented. Forms are available in the Human Resources Division.

Excessive absenteeism or tardiness are grounds for corrective action, including dismissal.

Recordkeeping and Documentation

For salary and record purposes, a nonexempt employee's time must be recorded on timesheets to reflect any absences during the work week in which the absences occur.

Job Abandonment

An employee who has not reported his or her absence after three (3) consecutive work days is considered to have abandoned the job and resigned without notice.

**POLICY STATEMENT**

In compliance with the Americans with Disabilities Act (ADA) of 1990, the City will provide reasonable accommodations to otherwise qualified individuals with disabilities as prescribed in accordance with the Act.

**GUIDELINES & PROCEDURES**

Requests for Accommodations

A “reasonable accommodation” may be provided when it enables the employee to perform the essential functions of the job.

Supervisors and/or employees who wish to obtain more information concerning the ADA and/or “reasonable accommodations” to qualified individuals are encouraged to contact the Human Resources Division.

**POLICY STATEMENT**

This policy establishes a Public Access Defibrillator (PAD) Program. The policy governs the purchase, installation, use, training, and maintenance of Automated External Defibrillators (AEDs) in certain City of Abilene facilities that are equipped with AEDs. It is the goal of this program to provide training to employees to enable a rapid response to a sudden cardiac arrest incident.

This document prescribes program policy for City of Abilene employees who have been trained in the use of AEDs, excluding Fire Department personnel, who are governed by Fire Department policy and procedure. It is the intent of this document to give general guidance regarding program objectives as well as general employee guidance to respond to an incident of sudden cardiac arrest.

More detailed and dynamic procedures for response to events and usage/maintenance of AED equipment are documented in the AED procedural manual under separate cover. The AED procedural manual may be obtained from the Risk Management Division office.

Texas Department of Health laws and regulations govern the use of AEDs as prescription medical devices used under the authority of a physician. Use of AEDs by lay persons is protected by the Texas Good Samaritan Act provided that certain procedures prescribed by this policy are followed, and user-responders have been properly trained as described in later sections of this policy.

It is the responsibility of the Medical Director of the Abilene/Taylor County Health Department, as the PAD Oversight Physician, to provide continuous guidance, monitoring, and evaluation of the program content. All response-trained employees (excluding Fire Department personnel for reasons previously stated) must operate within the parameters of this policy and its related procedures.

Annual review of this document and associated procedures will be conducted by the Medical Director and the PAD Program Coordinator for content and guideline modifications to meet national standards. Recommended changes to this policy will be coordinated with the PAD Committee and implemented through the Director of Administrative Services.

Guidelines And Responsibilities

Program Management

The PAD Committee, consisting of the Medical Director, the Abilene Fire Department EMS Coordinator, the Abilene/Taylor County Health Department Director of Nursing, the PAD Program Coordinator, and the City of Abilene Training Manager, will oversee the program. No AED shall be purchased or installed in a facility where policy and training objectives have not been met.

**Program Role Designations** – *Note: detailed responsibilities for each role are outlined in the AED Procedures Manual.*

**PAD Oversight Physician** – The Abilene/Taylor County Health Department Medical Director serves as the PAD Oversight Physician. He or she establishes overall medical policies for the program.

**PAD Program Coordinator** – The PAD Program Coordinator is the Safety Coordinator in the Risk Management Division of the Administrative Services Department of the City of Abilene.

**PAD Facility Liaison** – Each facility containing an AED will designate a liaison who is responsible for coordinating the program for that facility. The liaison will be designated by the Department Director(s) responsible for that facility. In facilities where multiple Departmental divisions reside, the involved Department Directors will collaborate to designate one Facility Liaison to represent the entire facility.

### **Training**

The PAD Oversight Physician has determined that the minimum training curriculum will be the American Heart Association Heartsaver AED curriculum and that city employees who provide on-scene victim care shall be trained according to the American Heart Association Heartsaver AED course.

This training curriculum conforms to the regulations of the Texas Department of Health. Training must be renewed every two years and trainees must attend a refresher course every year.

Risk Management Division staff will coordinate the training instruction. The PAD Program Coordinator will track training requirements and notify the Facility Liaison of any needs/deficiencies.

### **Departmental Director Responsibilities**

The PAD Program Coordinator will work with the department director(s) responsible for a particular facility housing an AED device to: designate an AED Facility Liaison, identify all employees who will be trained to use an AED and ensure re-certification training occurs every 2 years.

### **Documentation of Events**

The employee or employees who provide care to a sudden cardiac arrest victim must document all accounts of the medical event and any victim care given in accordance with the AED Procedures Manual.

**Record-Keeping**

All AED-trained employees are responsible for following record keeping procedures as outlined in the AED Procedures Manual. The PAD Program Coordinator will provide oversight and retention of all AED records in a secure file to ensure confidentiality. The PAD Program Coordinator will use a database to log employee training and monitor re-training needs.

**Maintenance and Equipment Storage**

The AED should be stored in its protective case at all times, in accordance with procedures outlined in the AED Procedures Manual. Maintenance procedures will be performed by the Facility Liaison as outlined in the AED Procedures Manual.

**POLICY STATEMENT**

Bulletin boards contain department and City-wide information. Employees are encouraged to read the bulletin board at their work station in order to keep abreast of new informational items.

Supervisors are responsible for monitoring items posted. Questionable items should be discussed with the Human Resources Division.

Supervisors and employees should refer to the ‘Solicitation’ policy located in this manual for further information.

**POLICY STATEMENT**

The City of Abilene supports its employees in meeting civic responsibilities.

**GUIDELINES AND PROCEDURES**

Jury Duty

When full-time regular and part-time regular employees are summoned for jury duty, the following procedures should be followed:

Notice - Employees must provide their supervisor with a copy of the jury duty summons and keep the supervisor informed of the jury duty status.

Compensation - Employees serving on jury duty continue to receive their salaries. Any monies paid to employees as pay for jury duty may be retained by the employees.

It is expected that employees will work their normal working hours during any time that they are not required to serve as jurors.

Overtime - Time off for jury duty is not included in hours worked for the purpose of computing overtime.

Court Appearances (Other Than Jury Duty)

Employees who are required by court order to appear as a witness will be granted time off with pay upon presentation of the notice to appear.

**POLICY STATEMENT**

It is our policy to comply with state and federal wage laws.

**GUIDELINES AND PROCEDURES**

Pay Periods

Paydays are every two (2) weeks on Friday, unless a holiday falls on Friday, in which case the City will make every effort to pay employees on the preceding work day.

Pay Computation

Salaries for regular full-time employees are set and advertised at a monthly rate. However, bi-weekly rates are used in the actual calculation by the payroll system. The formula for calculating the hourly and bi-weekly rates from a monthly rate (except for firefighters) is as follows:

Monthly rate multiplied by 12 equals the annual salary divided by 26 (pay periods in a year), which results in the bi-weekly rate. This number is divided by 80 (hours in a pay period), which results in the hourly rate.

**Example:** Monthly rate = \$1040

$\$1040 \times 12 = \$12,480/\text{year}$ .  $\$12,480 / 26 = \$480.00$  (bi-weekly rate).  $\$480.00 / 80 = \$6.00$  hourly rate.

Temporary and part-time employees are paid at the hourly equivalent of the monthly rate.

Payroll Deductions

No payroll deductions, other than required taxes or deductions ordered by a court or authorized by law, will be made without the written authorization of the employee.

The check stub serves as a regular statement of an employee's earnings and deductions. Any questions should be directed to the Human Resources office.

Direct Deposit

Direct deposit is a service provided by the City of Abilene to deposit net pay directly to a financial institution (checking or savings account) of the employee's choice.

Paychecks are automatically deposited in a personal account on payday. The employee will receive a check stub detailing gross pay, taxes, deductions, and direct deposit amount. The

check stub will be sent to the division each payday.

Direct deposit is available for all full-time and regular part-time employees. The program is not available for temporary employees. When an employee is receiving Wage Continuation Benefits, he or she is no longer eligible for direct deposit for the duration of time he or she is on the Wage Continuation Benefit.

Any change to the status of paychecks with regard to direct deposit, such as a bank account number, application to participate in the program, or cancellation of the direct deposit program, requires 30 days written notice.

Enrollment forms are located in the Human Resources office. A copy of the employee's deposit slip or voided check from the financial institution must be attached to the form and forwarded to the Payroll Office, Room 101, City Hall.

Direct deposit will cease at the time of termination. Final checks must be picked up in the Human Resources office.

#### Overtime

Nonexempt employees are compensated at one and one-half times their regular hourly rate for all hours actually worked in excess of 40 hours during any one work week. The City's work week begins on Tuesday and ends on Monday. Employees employed in fire protection and law enforcement activities qualify for a 7(k) exemption under FLSA and may have work periods of not less than seven nor more than twenty-eight (28) consecutive calendar days rather than the standard seven-day work period for all other nonexempt employees. Exceptions to these work periods must be filed with and approved by the Director of Administrative Services.

When a holiday is worked but will **not** be taken off later, hours actually worked on the holiday by nonexempt employees are paid at straight time in addition to the straight-time holiday pay. Only hours actually worked in excess of 40 hours during any one week are eligible for overtime pay.

**The need to work overtime must be authorized and approved in advance by the supervisor.**

Non Exempt employees will be paid for accrued compensatory time upon termination and upon promotion to a position of exempt status.

Exempt employees are not eligible for overtime pay. The basic compensation of exempt employees is based on the amount of work necessary to complete the assigned functions and is not based upon a set number of hours per work week. Time worked in excess of forty (40) hours per work week is not eligible for compensation during the course of employment or

upon termination. However, at the discretion of their supervisor, exempt employees may be granted personal time off during normal work hours in consideration of their work efforts.

#### Hours Worked

In general, "hours worked" includes all time that an employee is required to be on duty and all time during which the employee is "suffered to work or permitted to work" for the City. If a supervisor knows, or should have known, that an employee has worked overtime, even though the supervisor did not require or request it, the employee is due to be compensated for overtime.

**Example:** If a nonexempt employee comes to work 15 minutes early and begins preparing for work (opening mail, fueling a vehicle, or answering business calls), the time is considered 'hours worked.' Also, employees who voluntarily continue to work at the end of their shift are engaged in compensable working time.

#### Hours Not Worked

All hours not worked but paid (holidays, vacation, sick, military, jury, funeral, and injury leave) will **not** be counted toward overtime eligibility. An employee must be physically at work more than forty (40) hours per week.

**Example:** Within a one-week period, an employee takes one day of sick leave, then works ten hours one day and eight hours the remaining three days, or a total of 42 hours for the week. The employee would be paid for 42 hours at straight time because the eight hours of sick leave cancels out the two hours of overtime.

#### Waiting Time

Employees who wait before starting their duties because they arrived at work earlier than the required time are not entitled to be paid for the waiting time. However, if an employee reports at the required time and then waits because there is no work to start on, the waiting time is compensable work time.

#### Meal Time

Meal period must be at least thirty (30) minutes in duration, the employee must be completely relieved of all duties, and the employee must be free to leave his or her duty post. (There is, however, no requirement that the employee be allowed to leave the premises or work site.) When these three conditions are met, meal time is not compensable work time.

#### Holiday Compensation

Holidays are not considered as hours worked for purposes of computing overtime. Employees who are required to work on a holiday will receive either:

- A. Time off at a later date for time worked on the holiday, or

- B. Payment for time worked on the holiday.

Both options stated above will reflect the current department/division policy. Employees who take time off at a later date must do so in the year in which the holiday occurs.

**Example 1:**

Tuesday, July 4, was a holiday. Employee did not work Tuesday and received 8 hours of holiday pay. On Wednesday, employee worked 10 hours, then 8 hours every other day, Thursday, Friday, and Monday. The employee actually **worked 34 hours**; therefore, all of the hours worked are paid at straight time, plus 8 hours of holiday pay, for a total of 42 hours of straight time pay.

**Example 2:**

Tuesday, July 4, was a holiday. Employee was required to work 5 hours on the holiday, 10 hours on Wednesday, then 8 hours every other day, Thursday, Friday and Monday. The employee actually **worked 39 hours**; therefore, no overtime is paid. Depending upon the department/division policy, the employee will either:

- A. Be paid 42 hours of straight time (34 hours worked plus 8 hours of holiday pay). Additionally, the employee will take 5 hours off at a later date, or
- B. Be paid 47 hours at straight time (39 hours worked plus 8 hours of holiday pay).

**Example 3:**

Tuesday, July 4 was a holiday. Employee was required to work 5 hours on the holiday, then 10 hours on Wednesday, Thursday, Friday and Monday. The employee actually **worked 45 hours**; therefore, the employee is compensated for 5 hours of overtime. Depending upon the department/division policy, the employee will either:

- A. Be paid 48 hours at straight time (40 hours worked plus 8 hours of holiday pay). Additionally the employee will take 7.5 hours off at a later date (5 hours at the overtime rate), or
- B. Be paid 48 hours at straight time (40 hours worked plus 8 hours of holiday pay) and 5 hours at an overtime rate.

**On-Call Time**

On-call time is not required to be counted as work time if the employee can come and go freely, i.e., if the employee has a beeper or is permitted to simply leave a telephone number where he or she can be reached. The City pays one hour overtime for on-call time Monday through Friday, and two hours overtime for on-call time Saturday and Sunday, plus overtime

COMPENSATION

for any hours the employee is actually called out and has to work. Overtime for the called-out hours will be subject to the 'Hours Not Worked' section of this policy.

**Example:** In a one-week period (Monday through Friday) an employee takes one day of vacation on Monday, is on-call Tuesday through Friday, and works eight regularly scheduled hours Tuesday through Friday. The employee is called out

Tuesday night and has to work two hours. The employee would be paid four hours overtime for on-call pay and receive straight time rates for the two hours he/she was called out. However, if the employee had worked on Monday, the two hours he or she was called out would be paid at the overtime rate. (See 'Overtime Rate' section on the next page of this policy.)

Travel Time

Home-to-work travel is not compensable work time. Generally, an employee is not at work until he or she reaches the work site.

If nonexempt employees are required to travel out-of-town, travel time is considered work time if the employee drives. Travel time as a passenger outside of regular working hours is not considered work time.

Compensatory Time

Under certain circumstances, employees who are required to work overtime during their normal work week or who work weekends or holidays may be granted time off with pay in compensation for the amount of overtime hours worked. Records of compensatory time earned and taken shall be maintained within each work unit.

Accrual of compensatory time is applicable only after forty (40) hours are worked in the same week.

**Example:** T W T F M  
10 8 8 8 6

No overtime pay or comp time is applicable.

Every effort should be made to allow compensatory time off to nonexempt employees rather than pay overtime. If comp time is given to nonexempt employees, it must be given at time and one-half off for every hour of overtime worked. **In no case shall more than 240 hours accrue.** Because compensatory time of 240 hours is at time and one-half, actual overtime worked would be 160 hours (160 X 1.5 = 240). Records for comp time accrued and comp time taken shall be maintained on the appropriate form (timecard or timesheet) and available

for auditing as required.

### Overtime Rate

As required by the Fair Labor Standards Act (FLSA), the overtime rate paid to employees includes base salary, education pay, certification pay, longevity pay, and on-call pay.

### Timesheets

Unit timekeepers are required to maintain timesheets daily that reflect hours actually worked. If an employee is absent, leaves early, or arrives late, it should be noted on the timesheet.

Time cards must be signed by the employee and the timekeeper. Corrections must be initialed by the employee.

### Stability Pay

Stability pay is granted to non civil service employees who meet the following requirements:

1. They have at least five years of service as a regular full-time employee at the end of a calendar year;
2. Their service is continuous; and
3. They are on active status on payroll records (“inactive” is defined as receiving no pay).

The maximum amount paid as stability pay is \$1,200. The formula for calculating stability pay is:

Years of service multiplied by annual salary multiplied by .005

**Example:** An employee with an annual salary of \$15,000 with eight years of service would receive a gross amount of \$600 stability pay (8 X 15,000 X .005). Applicable taxes and retirement apply and are deducted from the gross amount.

### Longevity Pay

Employees who are members of the Firefighters  and Police Officers  Civil Service receive longevity pay as established by state law.

### Multiple Jobs for the City

Full-time employees may work additional part-time jobs for the City if the work is

occasional or sporadic and solely at the employee's option. Rate of pay for this type work would normally be a flat rate (i.e., \$15 per game officiated); however, pay must be submitted through the payroll process, not the accounting process typically used with contract labor.

Demotion/Reduction in Pay

Certain personnel actions which may result in demotion or reduction in pay are: low performance rating, transfer, reclassification, voluntary demotion, or disciplinary action. The following guidelines apply.

1. Reduction in pay shall correspond with the ranges in the pay schedule.
2. The new salary will become effective on the beginning of a pay period. The employee's anniversary date changes to the effective date of the demotion/reduction in pay.
3. No reduction shall deprive an employee of consideration for pay increases at a later date.
4. The employee affected by a reduction in pay shall be given a Payroll Action Form explaining the reason(s) for the action.
5. An employee whose pay is reduced shall have the right to appeal, as outlined in the Grievance and Complaint Procedures (C - 4).

**POLICY STATEMENT**

Although the City of Abilene is an at-will employer, it is our practice to attempt to correct problems or improve job performance by applying a consistent approach of counseling and warning procedures. Any corrective action or counseling should be fully documented. Certain acts of misconduct may require more direct disciplinary action.

Disciplinary actions directed to employees in the Firefighters' and Police Officers' Civil Service shall conform to the City of Abilene Fire and Police Civil Service Rules and Regulations.

**GUIDELINES AND PROCEDURES**

The following are recommended guidelines for corrective action:

1. Act Promptly - While it is important that a decision on disciplinary action not be made in haste, it is equally important that the supervisor take action as soon as it becomes apparent that a violation has occurred. Failure to take corrective action is equivalent to condoning the violation and making the rule ineffective.
2. Get All the Facts - Getting all the facts as soon as possible is essential. The supervisor must investigate early and thoroughly to determine that just cause exists for corrective action.
3. Interview the Employee - The employee should be given an opportunity to explain his or her actions. The employee's explanations should be verified and taken into consideration before corrective action is taken.
4. Determine a Course of Action - A decision on the course of corrective action should not be made without sufficient review of all the facts. The following factors should be considered:
  - a. Consider the nature of the violation. How serious was the offense?
  - b. Review any previous disciplinary actions in the employee's record. What is the employee's previous record? Penalties should become more severe for each instance of misconduct.
  - c. Consider the period of time since the last corrective action. Is the employee unable or unwilling to correct behavior or perform satisfactory work? A long period of good conduct following corrective action should be considered because it represents the aim of corrective discipline.

- d. Consider any mitigating or aggravating circumstances. Mitigating circumstances, such as medical problems supported by a doctor's statement, may justify a lesser penalty. Aggravating circumstances, such as prior violations for the same rule, justify a more severe penalty.
  - e. Consider whether the action is consistent with action against other employees in similar circumstances.
5. Documentation - It is critical that all facts and counseling sessions be documented. Documentation of counseling sessions should contain the following information:
- a. name of employee
  - b. date and reference to previous discussions (if any)
  - c. the specifics of the problem
  - d. detail of corrective action/specific results to be achieved
  - e. consequences if results are not achieved
  - f. employee's comments
  - g. employee's signature
  - h. supervisor's signature

#### Progressive Form of Disciplinary Action

Action to correct or reprimand may be in the form of verbal warning, written warning, or suspension without pay. The original copy of the documentation should be sent to the Human Resources Division. Copies of the original should be retained by the supervisor and given to the employee.

This guide represents a progressive form of disciplinary action and is recommended in most cases. The following guidelines are outlined:

1. Verbal Warning - The verbal warning session should be conducted in private by the employee's supervisor and should consist of a discussion of the specific problem areas and the expected results. A written record of the counseling session should be made and signed by both the employee and the supervisor.
2. Written Warning - If counseling does not produce the desired results or if infractions continue after the supervisor has discussed them with the employee, the employee should be issued a formal written warning. The written warning must be signed by the supervisor and the affected employee. The original should be given to the employee and a copy should be forwarded to the Director of Administrative Services. Any cases of disciplinary action that affect an employee's pay must be approved by the Department Director and Director of Administrative Services **prior to** the action being taken.

Verbal and written warning should be documented. Forms are available in the Human Resources Division. The purpose of the documentation is to:

- a. eliminate misunderstandings between the supervisor and the employee;
- b. ensure that the employee is given notice of unacceptable conduct in time to permit improvement; and
- c. ensure that documentation is available to justify the action taken in the event of alleged discrimination charges.

The documentation should state the specific corrective action the employee must take and advise the employee that termination can be expected if the performance problem is not corrected.

3. Suspension - Supervisors have the authority to temporarily remove employees from the workplace if approved in advance by the Department Director and the Director of Administrative Services. Non-Civil Service employees are subject to suspension without pay not to exceed thirty (30) working days. **An exempt employee may not be suspended without pay for less than a full week unless discipline is for violation of a safety rule of major significance.**

Failure to improve performance or behavior after the written warning or suspension can result in termination.

#### Dismissals

Approval from the Department Director is required to terminate an employee. Should the supervisor become convinced that discharge of an employee is necessary, the supervisor shall confer with the Division Manager and Department Director **before** initiating action to terminate the employee's employment. In addition, the supervisor, Division Manager, and/or Department Director shall confer with the Director of Administrative Services **prior to** initiating the discharge action; this conference shall be used to assure that accepted personnel management procedures are adhered to.

Certain acts of misconduct require the immediate termination of an employee. Such acts of misconduct should be discussed with the Director of Administrative Services.

**POLICY STATEMENT**

Under special circumstances, defined as a *major* or *catastrophic condition*, employees may donate accrued vacation leave and/or sick leave to other employees to be used for the recipient employee or their immediate family members, limited to their spouse or child/step child living in the same household. Each request will be considered on an individual basis. The following guidelines apply:

1. Requests for leave under this policy are initiated by a memo from the supervisor through the appropriate supervisory channels to the Department Director. The memo should contain the particular circumstances surrounding an employee's qualified medical leave and the length of time the employee has been absent, or expects to be absent, with an estimation of when the employee may be able to return to work. The memo should not include private health information regarding a medical diagnosis, medical condition or specific medical information. An example of appropriate information describing the employee's qualified medical leave would be "an extended illness (or injury) requiring hospitalization (and/or on-going treatment)" either for the employee or for their qualified dependent which requires the presence of the employee. The memo should also address why the employee's own personal leave is exhausted, indicating if the employee's leave has been used due to this medical event or a previous qualified medical leave requiring an extended absence and if the employee has appropriately managed their leave balances. If a donation is recommended by the Department Director, a request which includes the supervisor's information is forwarded to the Director of Administrative Services.
2. The qualified medical leave for the recipient of the donated leave must be due to a major or catastrophic condition that prevents them from active employment, or due to their eligible dependent's major or catastrophic condition that requires the presence of the employee. The Department Director and the Director of Administrative Services shall determine whether or not a condition is major or catastrophic. This determination shall be made on a case-by-case basis. The Department Director and the Director of Administrative Services shall determine who is eligible to receive donated leave.
3. Upon final approval of the donation, a Release and Authorization form must be signed by the recipient of the donated leave and each employee who wishes to donate leave must complete and sign a form provided by Human Resources. The forms must be submitted to Human Resources and a copy of the form is placed in each donor's personnel file.
4. Recipients of the donated leave must have exhausted all their own accrued sick leave, vacation leave, holiday leave, compensatory time, and any other leave with pay that may be applicable.

5. A donor employee may donate vacation leave or sick leave. Sick leave donations are limited to the extent the donor employee's sick leave accrual balance is in excess of 720 hours (or 1080 hours for Fire employees assigned to a 24 hour shift schedule).
6. A maximum of forty (40) hours per employee (donor) may be donated per event. Total donations per recipient are limited to 720 hours per incident. For Fire employees assigned to a 24 hour shift schedule, a maximum of sixty (60) hours per employee (donor) may be donated. If the recipient is a Fire employee assigned to a 24 hour shift schedule, the total donations per recipient are limited to 1,080 hours per incident.
7. Once an employee donates leave, the donation constitutes an irrevocable gift that cannot be returned to the donor employee but remains with the recipient, or passes to his or her beneficiary in the case of death of the employee. A maximum of 720 hours shall be passed to the beneficiary (or a maximum of 1,080 hours if the recipient of the leave is a Fire employee assigned to a 24 hour shift schedule).
8. Leave accruals are maintained in the payroll system and shall be deducted from the donor's leave balance and added to the recipient's sick leave balance.
9. In all cases, a donation of leave shall be strictly voluntary and employees shall not be coerced in any manner.

**POLICY STATEMENT**

It is the policy of the City of Abilene to hire and retain the most qualified employees in order to provide safe, efficient and reliable services to its citizens. In order to further this policy, only those employees who possess a current, valid, and appropriate license will be allowed to operate a vehicle on behalf of the City.

**SCOPE**

This policy shall apply to all employees utilizing a City owned, rented, or leased vehicle and to all employees utilizing personal vehicles while furthering the interest of the City of Abilene.

**PROCEDURES**

1. Any employee subject to this policy will maintain a current, valid, and appropriate license at all times. Under no circumstances shall an Occupational Driver's License or similar license be deemed appropriate.
  - A. Any employee who, as a part of their duties with the City of Abilene, operates a City owned, rented, or leased Commercial Motor Vehicle, must maintain a current and valid Texas Commercial Driver's License, with all applicable endorsements.
    - 1). Employees listed in A above, in addition to all other requirements of this policy, must also notify the City and their State's motor vehicle licensing agency within thirty (30) days of a conviction for any traffic violation (except parking violations) even if the violation did not occur while operating a commercial vehicle. The form titled 'Notification of Traffic Violation,' (found in the forms section of this manual) should be used for such notifications.
  - B. Employees who do not operate a Commercial Motor Vehicle, but drive a City owned, rented, or leased vehicle, must maintain a current and valid Texas Department of Public Safety Driver's License.
  - C. Employees who drive a vehicle on behalf of the City, to further the business of the City, and/or receive mileage reimbursement or vehicle allowance or stipend, must maintain a current and valid Texas Department of Public Safety Driver's License. Employees in this category must comply with all applicable State Traffic Laws including using seatbelts and maintaining financial responsibility (liability insurance).
2. Any employee who is subject to this policy and has their license suspended, revoked, canceled, or whose license expires without renewal, or who is issued an Occupational Driver's License or similar license, shall immediately cease operation of any vehicle and notify their supervisor by the end of the next working day. It shall be the sole responsibility of the employee to report any suspension, revocation, cancellation, or

expiration of their license, as well as advising their supervisor of any change in driving status, such as the issuance of an Occupational Driver's License or similar license. Failure to report such information by the end of the next working day shall result in disciplinary action up to and including termination.

3. Any supervisor who is notified by an employee of an event covered under Procedure #2 above, shall immediately remove the employee from any duties that require the operation of a vehicle and notify their Division Manager or Department Director who will notify Risk Management and Human Resources.
  - A. Any employee who no longer has a current, valid, and appropriate license, and whose essential job duties involve the operation of a vehicle, Commercial or other, shall be removed from driving status and may be reassigned at the discretion of the Department Director, and only if it is in the best interest of the City to do so.
  - B. An employee who is not reassigned will be terminated.

**MOTOR VEHICLE RECORD CHECKS**

1. It is ultimately the responsibility of each Department and Division to ensure compliance with this policy. To help identify those employees who may have a suspended, revoked, canceled, or expired license, or who may have been issued an Occupational Driver's License or similar license, the office of Risk Management will conduct Motor Vehicle Record checks on all employees subject to this policy. These checks will be performed periodically.
2. Employees who are found to have a suspended, revoked, canceled or expired license, or who have been issued an Occupational Driver's License or similar license, and who have not previously reported this information to their supervisor, will be subject to disciplinary action up to and including termination..

**POLICY VIOLATIONS**

This policy is designed to protect the citizens and employees of the City of Abilene. Any violation of this policy will be addressed individually and on a case by case basis.

**POLICY STATEMENT**

Regular full-time employees are eligible to receive group medical, dental and vision insurance and retirement benefits as outlined below.

Part-time employees receive retirement benefits and may elect the dental, personal accident insurance (PAI), and participate in the flexible spending account. Part-time employees are not eligible to receive group medical insurance.

**GUIDELINES AND PROCEDURES**

**Group Medical Insurance**

Group medical insurance, including hospitalization, is available to regular full-time employees and their dependents. Group life insurance is available to regular full-time employees only.

Group coverage begins the first day of the month following 30 days of employment. Employee costs for participation are paid through payroll deductions from employees' wages.

Detailed insurance information is provided to employees as they become eligible for benefits. Specific information concerning coverage is contained in the handbook furnished by the insurance company and provided to each employee. Additional information is available upon request from the Human Resources Division.

COC (Continuation of Coverage) allows employees to continue their group medical insurance (and other applicable benefits) after their termination. Refer to the Termination Policy (T - 2) for details.

**Retirement**

Regular full-time and part-time employees of the City, except firefighters, are members of the Texas Municipal Retirement System (TMRS).

Employees contribute seven percent (7%) of gross salary to TMRS. The City matches employee contributions 2 to 1. Employee contributions are deducted from pay checks each pay period on a before-tax basis.

The vesting period is five (5) years. Employees who work for at least five years and leave the City have the option to leave their money in the system and receive a retirement benefit at age 60.

Details and specifications concerning the TMRS are covered in the Handbook of Information provided to each eligible employee by the System. Additional information is available upon request from the Human Resources Division.

Employees anticipating retirement should make application with the Human Resources Division at least thirty (30) days prior to the effective date of retirement in order to allow proper time for processing.

Firefighters are members of the Firefighters' Relief and Retirement Fund and contribute a percentage of their gross pay to the fund in an amount agreed upon by the Firefighters Pension Board and the City Council.

Credit Union

City employees are eligible to join the federally insured Abilene Municipal Employee's Credit Union, which provides low-interest loans and interest earnings on deposits. Employees should contact the Credit Union office for additional information.

**POLICY STATEMENT**

The City of Abilene is an Equal Employment Opportunity employer committed to the following:

1. To recruit, select, compensate, and promote employees solely on the basis of qualifications and merit;
2. To prohibit unlawful employment discrimination based on age, race, color, national origin, sex, religion, or disability; and
3. To promote the implementation of EEO through a positive and continuing affirmative action program.

**GUIDELINES AND PROCEDURES**

**Personnel Action Forms**

Requests to fill vacant positions must be submitted to Human Resources on a Personnel Action Form (PAF). The form must state the reason for the request, include the name of the employee who vacated the position, and be signed by the Division Manager and Department Director.

A Requisition to Fill Position form should be completed to advertise and should include special requests such as bilingual, typing requirements, licenses, certification, etc.

**Advertising Vacancies**

The Human Resources Division is responsible for employment ads and for posting vacancies in City Hall, at City worksites, with local agencies, or other recruitment sources.

All vacant positions must be posted to either City employees only or the general public. However, if a City employee within the division meets the job qualifications, he or she may be promoted to the position without advertising. Interested City employees should apply in the Human Resources Division.

Applications are accepted in the Human Resources Office. If a closing date is posted, applications will not be accepted after that date.

Testing

The City reserves the right to administer certain pre-employment testing during the application process based upon the criteria established in the job description. Applicants applying for specified position(s) may be required to demonstrate the necessary competency levels to include, but not be limited to, a computer keyboard, transcription equipment, and/or typing test. No other pre-employment testing shall be administered without the specific approval of the Human Resources Division designee.

Interview and Selection

The Human Resources Division shall review all applications for the specified vacant position(s) and forward to the interviewing supervisor all applications which meet the stated minimum qualifications. **The supervisor will screen applications to select applicants to be interviewed, then schedule interviews and notify applicants of interview reporting information.** The supervisor will, upon candidate selection, submit interview documentation and any required background reference checks to the Human Resources Division. Human Resources will extend the employment offer to the candidate and schedule new hire (group) processing which includes completion of the required employment forms as well as initial benefits enrollment information. Only applicants who were interviewed will be notified by the Human Resources Division that the position has been filled.

New Employee Orientation

All new employees are required to attend the new employee orientation session, which includes an overview of organizational structure, information about the City's policies and procedures, benefit plans, and performance appraisal system. These sessions are held monthly and are the responsibility of the Training & Employee Development Manager.

Employment of Relatives

Supervisors may not hire relatives to work directly under their supervision. For purposes of this policy, relatives include spouses, children, siblings, parents, aunts, uncles, nephews, nieces, cousins, relatives by marriage, or anyone living in the employee's household.

Employment of Minors

Minors may be considered for temporary, part-time, or full-time employment within the limitations of state and federal laws.

1. 16 - 17 year olds may be hired for any non-hazardous jobs.
2. 14 - 15 year olds may be employed outside of school hours under the following conditions:
  - a. No more than 3 hours on a school day

- b. No more than 18 hours in a school week
  - c. 8 hour maximum on a non-school day
  - d. 40 hour maximum in a non-school week
  - e. Work may not begin before 7 a.m.
  - f. Work may not extend past 7 p.m., except between June 1 and Labor Day, when evening hours are extended to 9 p.m.
3. Under special provisions, 14 - 15 year olds enrolled in an approved work training program may be employed for over 18 hours in a school week, including during school hours, if prior approval is obtained by the Director of Administrative Services.

Re-employment

Former employees in good standing are eligible for re-employment and will be considered for employment as other external applicants. Supervisors must obtain approval from the Human Resources Division prior to rehiring a former employee.

Employees who are rehired are eligible for benefits just as any new hire.

**POLICY STATEMENT**

It is the policy of the City to recruit, employ, and provide compensation, benefits, promotion, training, and other conditions of employment without regard to race, color, religion, sex, age, national origin, disability, or other factors identified and protected by federal, state, and local legislation. The City affirms that employment decisions shall be made only on the basis of bona fide occupational qualifications. The City shall continually review its employment practices and personnel procedures and take positive steps to ensure equality of employment opportunity in the City of Abilene, Texas.

It is also the City's policy to follow a program of affirmative action with respect to the recruiting, hiring, and promotion of minority, female, and disabled candidates.

In addition, the City of Abilene assures protection against discrimination as outlined in the Americans With Disabilities Act (ADA).

**GUIDELINES AND PROCEDURES**

**Designation**

The Director of Administrative Services is designated as EEO/Affirmative Action and ADA Coordinator, with authority and responsibility to develop and implement strategies to assure the achievement of the intent of the policy. This policy shall be uniformly applied by all levels of management in every department, division, and work unit of the City.

**Responsibility**

Each Department Director and supervisor is responsible for the application of this policy within his or her component. This includes all supporting programs and practices developed in accordance with this policy. All employees of the City are responsible for cooperating with any reviews, investigations, and other activities initiated within the framework of this policy. To achieve ultimate effectiveness in the application of this policy, the cooperation, support, and commitment of every employee is essential.

**Complaint Procedure**

Any employee who feels he or she has been discriminated against in conditions of employment solely because of religion, sex, age, race, national origin, or disability shall file a written complaint directly with the Director of Administrative Services. EEO complaint forms are available in the Human Resources Division. The complaints should be filed within five (5) working days of occurrence. The complaint will be fully investigated by the Human

**CITY OF ABILENE**

Resources Division.

The Director of Administrative Services, in conjunction with the affected Department Director, shall investigate the complaint to determine if the City is in compliance with this Policy and shall respond to the complainant within ten (10) working days of the date the complaint is presented.

**POLICY STATEMENT**

The City of Abilene promotes a safe, stable, healthy, and productive working environment for its employees. With this in mind, the City offers an employee assistance program (EAP) to be provided as a benefit to all employees and their immediate family members, at no cost to them, for professional assistance in dealing with personal issues that may affect and/or hinder their job performance.

**GUIDELINES AND PROCEDURES**

Benefit Description

Employees and their immediate family members or a dependent child living outside the employee's household are eligible for up to five (5) sessions of counseling per problem per calendar year with a licensed and/or certified mental health professional. These individuals have advanced degrees in their field and must meet continuing education requirements. Generally, requests for gender specific or bilingual counselors can be honored. Offices are located throughout the Abilene area. Employees may access the EAP for assistance with a number of personal issues. Examples of these issues may include but are not limited to: stress, emotional or mental health issues, marital or family difficulties, financial troubles, alcohol and drug problems, work related difficulties, critical incident stress debriefing (CISD), grief and loss, or other problems. The program will provide problem assessment, short-term counseling, and referral.

Employees and their eligible immediate family members who access the EAP and exhaust all five (5) counseling sessions per problem per year and desire continuing treatment must do so at their own expense. The City's health insurance plan covers a number of counseling needs but may be limited and/or not provide coverage in certain areas. Questions concerning this should be directed to the Human Resources Division/EAP Coordinator.

Confidentiality

EAP records are confidential except where excluded by federal, state, or local law. All records are the property of the EAP service provider, and generally, a release of confidential information form must be signed by the employee before information can be released to the employer. This form is provided to the employee by the EAP service provider. Exceptions where information shall be reported to appropriate officials include: (1) threats of harm or violence to self or others or (2) suspected child abuse or neglect.

Referrals

There are three types of employee referrals to the EAP:

1. Self Referral: An employee who desires to use the EAP may call the toll-free number available 24 hours a day/7 days a week/365 days a year, staffed by trained counselors. The following guidelines apply to an employee attending EAP counseling during work hours:
  - a. The employee may attend an EAP counseling session through self referral without using leave (sick leave, vacation leave, etc.) if the employee notifies the supervisor about the EAP session.
  - b. An employee attending an EAP counseling session through self referral who wishes not to notify the supervisor that the absence is for EAP reasons shall use leave for any EAP counseling sessions.
2. Informal Supervisory Referral: A supervisor who feels that an employee's job performance may benefit from the use of the EAP may make an informal referral by suggesting to the employee that he or she consider accessing the program at the employee's discretion. If the employee decides to act on the supervisor's suggestion, he or she would follow the provisions listed above in 'Self Referral.'
3. Formal Supervisory Referral: A supervisor who feels that an employee's personal issues may be affecting and/or hindering job performance and may benefit from use of the EAP may make a mandatory referral of an employee with the **prior approval** of the Department Director and the Director of Administrative Services. Following the employee's referral to the EAP, the supervisor will be notified regarding the employee's attendance and progress with counseling. The failure of an employee to attend or successfully complete the EAP program as directed under this section may result in disciplinary action up to and including termination of employment.

In the situation of a formal supervisory referral, the EAP Coordinator/Human Resources Division will notify the EAP service provider by phone that a formal referral has been made. In addition, the employee shall be required to sign a written consent form authorizing the EAP to release the following information:

1. Verification of the employee's appointment or attendance;
2. Indication of whether the employee complied or did not comply with the EAP recommendation, and;
3. Whether absence from work will be necessary for compliance with EAP recommendations.

An employee who is formally referred to the EAP by their supervisor will not be required to exhaust any applicable leaves (sick leave, vacation leave, etc.). In addition, time spent by an employee in EAP counseling during work time will be



**POLICY STATEMENT**

Employees who have completed one year of service and have worked 1,250 hours in the past 12 months are eligible for family and medical leave in accordance of the Family and Medical Leave Act of 1993.

**GUIDELINES AND PROCEDURES**

Eligible Events

Eligible employees are entitled to take up to 12 weeks of leave in a 12-month period. Family Medical Leave will be designated for any qualifying employees who is off more than three days for the following circumstances:

1. During the first 12 months following the birth of a natural child;
2. During the 12 months following the placement of a child with an employee for adoption or foster care; or
3. For the serious health condition of the employee or to care for the employee's spouse, child (biological, adopted or foster child, step child, legal ward, or a child of a person standing *in loco parentis*), or parent (biological or who stands or stood *in loco parentis*) who has a serious health condition.

Serious Health Condition

A "serious health condition" is defined as an illness, injury, impairment, or physical or mental condition that involves either of the following:

1. Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care.
2. Continuing treatment by a health care provider that includes any period of incapacity (i.e., inability to work, attend school, or perform other regular daily activities) due to:
  - A. A health condition (including treatment therefore, or recovery there from) lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
    - treatment two or more times by or under the supervision of a health care provider; or
    - one treatment by a health care provider with a continuing regiment of treatment.

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- B. Pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence.
- C. A chronic serious health condition that continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity (i.e., asthma, diabetes). A visit to a health care provider is not necessary for each absence.
- D. A permanent or long-term condition for which treatment may not be effective (i.e., Alzheimer's, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment.
- E. Absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (i.e., chemotherapy or radiation treatments for cancer).

### Health Care Provider

“Health care provider” is defined as any of the following:

1. doctors of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctors practice;
2. podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice and performing within the scope of their practice under state law;
3. nurse practitioners, nurse-midwives, and clinical social workers authorized to practice and performing within the scope of their practice as defined under state law;
4. Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts; and,
5. any health care provider recognized by the employer or the employer's group health plan benefits manager.

### Notice

Eligible employees are required to give 30 days advance notice for foreseeable leaves, specifically expected births or adoptions and planned medical treatments. When conditions or circumstances change unexpectedly, the employee is required to give as much notice as possible.

A Request for Leave Under FMLA of 1993 Form, Section 1, should be completed by the employee and approved by the supervisor and/or division manager and department director. The Form will delineate the reason for the leave, expected length of the leave and stipulate

the anticipated return-to-work date. Section 2 should be completed by the health care provider to certify the employee's own serious health condition or the serious health condition of a spouse, child or parent to indicate the need for the employee's attendant care. Employees on family and medical leave who are unable to work or are caring for a spouse,

child or parent may be required to obtain subsequent medical recertifications during the leave. The cost incurred in obtaining any certifications is the responsibility of the employee. **The Request for Leave Form should be routed to Human Resources.**

#### Leave Entitlement

Eligible employees may take leave up to a total of 12 weeks in a rolling 12-month period of time for the birth of a child, placement of a child with an employee for adoption or foster care, care for a spouse, parent, or child with a serious health condition, and/or the employee's own serious illness or injury. A "rolling" year 12-month period is measured backward from the date an employee uses family and medical leave. In other words, each time an employee takes family and medical leave, the remaining leave entitlement would be any balance of the 12 weeks that has not been used during the immediately preceding 12 months. For example, if an employee has taken eight weeks of leave during the past 12 months, an additional four weeks of leave could be taken. If an employee used four weeks beginning February 1, 1995, four weeks beginning June 1, 1995, and four weeks beginning October 1, 1995, the employee would not be entitled to any additional leave until February 1, 1996. However, on February 1, 1996, the employee would be entitled to four weeks of leave, on June 1, 1996 the employee would be entitled to an additional four weeks, etc. **NOTE: For the birth of a natural child or the placement of a child with an employee for adoption or foster care, if both spouses are City employees, they may only take twelve (12) weeks combined for these purposes.**

#### Pay During Leave

**The City requires employees to use all applicable paid sick leave and all available vacation time before taking unpaid leave.** If an employee is on a **paid** (status) FMLA leave of absence, they shall receive holiday pay and vacation/sick leave accruals according to their eligibility. If an employee is on an **unpaid** (status) FMLA leave of absence, they shall not receive holiday pay or accrue vacation/sick leave.

#### Intermittent *or* Reduced Leave Schedule

An employee with a serious health condition or with a spouse, parent, or child with a serious health condition (but not those taking leave due to the birth or placement of a child) is entitled to take intermittent or reduced schedule leave.

"Intermittent leave" is defined as leave taken in separate blocks of time due to a single illness or injury, rather than for one continuous period of time, and may include leave for periods from an hour or more to several weeks. Examples include leave taken on an occasional basis

for medical appointments or leave taken several days at a time spread over a period of time, such as for chemotherapy.

“Reduced leave schedule” is defined as a leave schedule that reduces an employee’s usual number of working hours per workweek or hours per workday. In other words, a reduced

leave schedule is a change in the employee’s schedule for a period of time, normally from full-time to part-time. This type of leave might be used, for example, when an employee is recovering from a serious health condition but is not strong enough to work a full-time schedule.

The City may require an employee who chooses this option to transfer temporarily to an alternative position which better accommodates the City’s workflow. The employee will receive equivalent pay and benefits during the temporary transfer.

Continuation of Benefits

Health insurance coverage will be continued for employees on leave on the same terms such coverage would have been provided if the employee had continued employment. The employee must pay the employee portion of monthly premiums in order to continue health insurance coverage. Employees who have exhausted their 12 week period and continue to be off work on leave without pay must pay their portion plus the City’s portion of the health insurance to continue coverage.

Employees Who Terminate While on a Family and Medical Leave

An employee will not be terminated during an approved family and medical leave unless the employee does one of the following:

1. gives written intent to voluntarily resign
2. fails to return from the leave on the agreed-upon date
3. fails to provide timely medical certification from the health care provider to substantiate the continuation or extension of a family and medical leave
4. works at other employment while on the leave
5. falsifies records and/or purpose for the leave

The Director of Administrative Services must review the circumstances of any of these issues before termination occurs.

Return to Work

An employee who is on medical leave is expected to return to work immediately after being released by his or her health care provider. The employee must present, upon returning to

work, a physician's statement clearly stipulating that the employee is fit to resume his or her job functions. An employee will not be allowed to return to work without the appropriate release.

An employee who is on a family leave to care for a spouse, child, or parent who has a serious health condition is expected to return to work when the health condition no longer requires

the attendant care of the employee. The expected date of return is the work date that was agreed upon at the time the Request for Leave Under FMLA of 1993 Form was completed.

An employee who is on a family leave for the birth of a child or adoption or foster care placement of a child is expected to return to work on the date agreed upon at the time the leave began.

Job Status upon Return from Family or Medical Leave

An employee who returns from leave in which the aggregate leave time in a rolling 12-month period is 12 weeks or less will be returned to either the same position held when the leave began or to an equivalent position, with equivalent benefits, pay, and other conditions of employment.

Employees Not Returning to Work

Employees who fail to return to work from a leave on the date agreed upon or when released by their health care providers are considered to have voluntarily resigned.

**FURLOUGHS**

**POLICY STATEMENT**

The City of Abilene, from time to time, may find itself in extremely challenging fiscal situations due to regional or national economic conditions or other reasons which cause a lack of available funding sources. During these times, certain measures may be necessary to address a significant budget gap, including but not limited to furloughs.

**DEFINITIONS**

A furlough is a measure used by employers to achieve cost savings by reducing payroll costs. A furlough is considered to be an alternative to layoffs or reductions in force. However, furloughs may be used in conjunction with other measures if economic circumstances exist that require such action. A furlough requires employees to work fewer hours, or to take a certain amount of unpaid time off. During a furlough, an employee is without duties or pay because of a lack of work or funds, or for other non-disciplinary reasons.

**GUIDELINES AND PROCEDURES**

**TYPES OF FURLOUGH**

In the event the City Manager determines that cost savings measures should be taken, including the reduction of payroll costs, the City Manager may authorize:

1. Voluntary Furlough

At the City Manager’s direction, Human Resources will notify employees of the need to attain payroll cost savings through a Voluntary Furlough Plan (“VFP”). Participation in the VFP will be on an individual, voluntary basis and no form of compensation may be taken by an employee who participates in the VFP (i.e., vacation, compensatory time, administrative leave). A Voluntary Furlough Plan Document will provide details associated with an individual employee’s voluntary participation for his/her consideration. A Voluntary Furlough Request Form will be provided for the employee to submit for approval to the employee’s Division Manager, Department Director and the Director of Administrative Services. The VFP is only available to employees during timeframes authorized by the City Manager.

2. Mandatory Furlough

A mandatory furlough may be implemented at the direction of the City Manager when circumstances warrant the temporary savings in payroll costs. In the event of a mandatory furlough, an entire group or groups of employees may be impacted, up to and including all City of Abilene employees. As much advance notice as possible will be provided when a mandatory furlough is implemented. When a mandatory furlough is implemented,

**FURLOUGHS**

all furloughed employees shall be paid on an hourly basis during the workweek designated by the City Manager. Employees who normally work 40-hour workweeks shall neither be required nor allowed to work more than 32 hours in that workweek. Employees whose regular day off falls on a furlough day will be furloughed on a different day during that workweek.

**NON-CIVIL SERVICE EMPLOYEES**

1. Non-exempt Employees

During the workweek in which a furlough day is mandated, non-exempt employees who normally work 40 hours per week shall have their workweek reduced to a 32-hour workweek.

2. Exempt Employees

Exempt employees will be paid on an hourly basis during a workweek when a furlough is mandated and shall work only a 32-hour work week. A mandatory furlough day and the resulting reduction of pay shall not disqualify an exempt employee from being paid on a salary basis except in the workweek during which the mandatory furlough occurs and for which the employee's pay is accordingly reduced, pursuant to 29CFR541.710 (b).

3. Part-time and Temporary Employees

During a furlough, part-time employees and temporary employees schedules may be reduced as determined by the department director.

**CIVIL SERVICE EMPLOYEES**

1. Police Officers

During a workweek in which a furlough has been mandated, Police Officers will reduce their workweek by eight (8) hours. It is the intent that this reduction will occur on Wednesday of the workweek for most officers. The Police Chief or his designee will determine the day for the reduction to occur for the remainder of the officers in order to have minimal impact on public safety coverage.

2. Firefighters

When a furlough has been mandated, firefighters will reduce a workweek by one day (12 hours for shift personnel, 8 hours for staff personnel) in accordance with a schedule established by the Fire Chief or his designee.

# CITY OF ABILENE

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## **LEAVE BENEFITS**

Leave benefit accruals (vacation, sick) will not be affected by a mandatory furlough. However, employees will not be allowed to take vacation, sick or compensatory leave in lieu of a furlough. Benefit accruals may be impacted by a voluntary furlough, depending upon the terms of the Voluntary Furlough Plan.

## **WORKER'S COMPENSATION BENEFITS**

Basic worker's compensation weekly benefits will not be affected by furlough days. However, wage continuation benefits will be reduced by one day during a week in which a furlough is mandated.

## **TEXAS MUNICIPAL RETIREMENT SYSTEM**

For employees who participate in the Texas Municipal Retirement System, there will be no employee or employer contribution associated with furlough hours. However, the employee will receive service credit for the entire month and there will be no break in service.

## **FIREFIGHTERS RETIREMENT FUND**

For employees who participate in the Firefighters Retirement Fund, there will be no employee or employer contribution associated with furlough hours. However, the employee will receive service credit for the entire month and there will be no break in service.

## **OVERTIME/OVER SCHEDULED HOURS**

As the intent of the furlough policy is to reduce payroll costs, over scheduled hours that result in an employee working a full schedule should be avoided during a workweek in which a furlough is mandated. If employees are scheduled in compliance with the furlough requirements, over scheduled hours should be avoided. It is the department director's responsibility to notify the Director of Administrative Services if an employee incurs over scheduled hours during a furlough workweek so that mitigating arrangements can be implemented.

## **EXCEPTIONS**

Emergency situations may arise which require exceptions to the furlough policy in order to best serve the safety and needs of our citizens. Such exceptions may involve individual employees or employees of certain divisions. Department directors are responsible for identifying these situations when they occur and coordinating response with the Director of Administrative Services.

**MISCELLANEOUS**

The placement of an employee on mandatory furlough does not constitute grounds for a grievance or appeal.

**VIOLATIONS OF POLICY**

Employees who work more than the prescribed number of hours in a workweek in which a furlough is mandated shall be required to take a furlough day during another workweek before the end of the same fiscal year. Intentional violations of this policy may result in disciplinary action, up to and including termination of employment with the City of Abilene.

### **POLICY STATEMENT**

In the interest of employee efficiency and morale, City employees shall have the opportunity to discuss complaints and grievances with their employer after decisions are made which give rise to grievance or complaint. Any employee may file a grievance or complaint. Use of this procedure shall not reflect unfavorably on the employee. In order to ensure this opportunity, the following shall apply:

#### **PURPOSE**

The purpose of this procedure shall be to settle matters on as low an administrative level as possible, as soon as possible after the applicable event, and to discover, whenever possible, mutually satisfactory solutions to problems which arise.

#### **DEFINITIONS**

- **Grievance** - an allegation that rights or benefits specifically provided by law or personnel rule (such as overtime pay, salary, or fringe benefits) have been denied or misapplied. **Available to regular status employees only.**
- **Complaint** - an allegation that any employee's non-specific employment conditions have been adversely affected (such as working conditions, supervisory practices, etc.). **Available to all employees.**

#### **EQUAL EMPLOYMENT OPPORTUNITY (EEO)**

Any complaints over issues regarding matters of conditions of employment because of the employee's age, sex, race, religion, color, national origin, or disability, are excluded from this procedure. Refer to the Complaint Procedure of the Equal Employment Opportunity Policy (E - 3). **Available to all employees.**

#### **FIREFIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE**

Any grievance or complaint over issues that are within the responsibility of the Abilene Firefighters' and Police Officers' Civil Service Commission and the Meet and Confer Agreement between the City of Abilene and the Abilene Police Officers' Association and Abilene Firefighters' Association dated August 24, 2006 and are excluded from this procedure.

### **GUIDELINES AND PROCEDURES**

Grievances and complaints shall be filed promptly after the complained of events occur. The complaint or grievance must be presented to the employee's supervisor within five (5) working

days from the occurrence of the challenged action in order to be considered. A working day is defined as a calendar day, Monday through Friday, exclusive of designated City holidays.

For all steps of the grievance procedure, the time limits for filing may be extended only in extreme cases in which it can be shown that circumstances beyond control prevented the filing within the time limits.

Procedure for Filing a Grievance or Complaint

To be considered, the procedural steps listed below must be followed after the challenged action has occurred.

1. Oral Presentation

All grievances and complaints shall be initially presented orally to the aggrieved employee's immediate supervisor. The supervisor should make every effort to resolve employee concerns as they arise. Efforts on the part of the supervisor may include explanations, discussion, or counseling. The supervisor may make reasonable adjustments within his or her authority level. Every effort should be made to resolve the matter to the mutual satisfaction of both employee and supervisor. Should this informal first step be considered unsatisfactory, the aggrieved employee shall have the right to then file a formal written grievance or complaint as set out below.

2. Written Presentation

If the oral presentation as provided for in the first step fails to resolve the matter, the employee shall have the right within five (5) working days after the discussion with the immediate supervisor, to file a formal written grievance or complaint with the Division Manager.

The time limit for filing may only be extended in extreme cases in which the employee can show that circumstances beyond his/her control prevented the filing of a written grievance or complaint.

In presenting the written grievance or complaint, the following information must be stated with reasonable clearness: the nature of the matter, the exact date (or if uncertain, the approximate date), the identity of the employee who claims to be harmed, the identity of the party or parties alleged to have caused the problem, and the remedy which is sought.

Within five (5) working days of receipt of the written grievance or complaint, the Division Manager shall meet with the employee and the employee's immediate supervisor to discuss the matter. The grievance or complaint at this step shall be fully and thoroughly discussed by all parties involved in the effort to resolve the problem. The decision by the Division Manager, whether reached during this discussion or afterward,

shall be presented in writing to the employee within five (5) working days of the meeting. Should the decision of the Division Manager be considered unsatisfactory, the employee shall then have the right to appeal that decision as set out in the following step.

3. Appeal to Department Director

If the Division Manager's decision concerning the grievance or complaint is not satisfactory to the employee, the employee may, within five (5) working days after receiving notification of the decision, submit the matter in writing to the Department Director.

Within five (5) working days of receipt of the appeal, the Department Director shall meet with the aggrieved employee and the employee's supervisor to fully and thoroughly discuss the grievance or complaint with all parties. The decision by the Department Director on the employee's grievance or complaint, whether rendered during this discussion or afterward, shall be given in writing to the aggrieved employee within five (5) working days after the date of the meeting.

Complaint Matters Only. **Complaints shall not be submitted to any further appeal after this step.**

Grievance Matters Only. Should the decision of the Department Director be unsatisfactory to the aggrieved employee, the employee shall then have the right to appeal that decision as set out in the following step. **This right to appeal applies to regular status employees only.**

Procedure for Appeal Process

The procedural steps listed below must be followed to appeal the decision of the Department Director regarding grievance matters. Regular status employees have a right to this process.

1. Written Presentation

If the decision of the Department Director as outlined in the preceding section, is not satisfactory to the employee, the employee may submit a written appeal to the Director of Administrative Services within five (5) working days after receiving notification of the decision.

2. Hearing Committee

A Hearing Committee will be established. Total membership of the Committee shall consist of seven (7) individuals (City employees). The Committee will include the Director of Administrative Services who will be a non-voting member except in the event of a tie. The aggrieved employee shall be allowed to select two (2) voting members of the Committee, one of whom shall be an employee of his/her division. All other voting

members of the Committee shall be appointed by the City Manager on a case by case basis. The City Manager's selection shall include one (1) Department Director, one (1) Division Manager, and two (2) other employees of similar employment status, but not from the department of the aggrieved employee. This does not preclude the Hearing Committee from requesting information from employees of the same department/division.

As the Hearing Committee Coordinator, the Director of Administrative Services shall collect pertinent information regarding the appealed matter. Such information will be available to the Hearing Committee within ten (10) working days after the receipt of the appeal.

The Hearing Committee Coordinator shall schedule a meeting to hear matters pertinent to the appeal within ten (10) working days of having received the written information. The Committee shall review the facts and prepare a written decision that includes a statement of the Committee's decision. The decision shall be based exclusively on the evidence presented and on matters officially noticed. A copy of the Committee's decision shall be forwarded to the City Manager, Director of Administrative Services, Department Director of complainant, and the complainant.

The order of the hearing meeting should follow this schedule:

The Hearing Committee Coordinator calls the hearing to order, states the purpose of the hearing and identifies the employee filing the appeal and the department representative.

- o Presentation by the employee and/or his/her legal counsel or employee representative and witnesses.
- o Presentation by a representative of the department and witnesses and/or legal counsel of both or either party.
- o Rebuttal, discussion, and/or questioning as considered appropriate.

The decision of the Hearing Committee is final.

Effect of Procedure

The existence of and access to this procedure shall not constitute any limitation on the City of Abilene's rights to manage its affairs. All employees hold their position at the will and pleasure of the City and such positions may be terminated or otherwise adversely affected with or without cause.

**POLICY STATEMENT**

The City of Abilene is committed to maintaining a work environment free from unlawful discrimination and harassment for all employees. This policy refers to, but is not limited to, harassment on the basis of age, race, color, national origin, religion, sex, disability, or other factors identified and protected by federal, state, and local legislation.

**GUIDELINES AND PROCEDURES**

Definition

Harassment is defined as verbal or physical conduct that has the intent or effect of unreasonably interfering with an individual's or group's work performance or that creates an intimidating, hostile, or offensive work environment.

Some examples of harassment are:

1. Display or circulation of written materials or pictures degrading to either gender or to racial, ethnic, or religious groups
2. Verbal abuse or insults directed at or made in the presence of members of racial, ethnic, or minority groups
3. Acts or language that is personally offensive, impairs morale, and interferes with the work effectiveness of employees

Responsibility

In fulfilling their obligation to maintain a positive and productive work environment, supervisors are expected to immediately halt any harassment they become aware of by emphasizing the Policy and, when necessary, notifying the Director of Administrative Services so that more-direct disciplinary action can be taken.

Designation

The Director of Administrative Services is designated as the EEO Coordinator, with authority and responsibility to implement strategies to assure the achievement of the intent of the Policy and to investigate any and all claims of harassment.

Complaint Procedure

Employees should follow the complaint procedures outlined in the Equal Employment Opportunity Policy (E - 3).

Retaliation against employees who bring harassment charges, or assist in investigations of charges, is prohibited.

Sexual Harassment

Refer to the Sexual Harassment Policy (S - 2).

**POLICY STATEMENT**

The City observes designated holidays and provides paid time off to regular full-time employees.

Regular part-time employees who would normally work on the holiday shall be entitled to holiday pay for the number of hours they would have worked had the holiday not occurred.

**GUIDELINES AND PROCEDURES**

The following days are designated holidays:

- New Year's Day
- Martin Luther King, Jr., Day
- Memorial Day
- Independence Day
- Labor Day
- Veterans' Day
- Thanksgiving
- Friday following Thanksgiving
- Christmas Day

**Holidays on Weekends/Scheduled Days Off**

Holidays falling on a Saturday will normally be observed on the preceding Friday. Holidays falling on a Sunday will normally be observed on the following Monday.

If a holiday occurs on an employee's regularly scheduled day off and the supervisor determines that it is not possible to allow the employee to observe the holiday on the preceding or next scheduled work day, the employee shall receive benefits of the holiday at a later date. The hours taken for the holiday will not count as hours worked for overtime computation.

**Work on Holidays**

In order to maintain a continuity of essential services, some employees may be required to work during an observed City holiday. Employees who are required to work on a holiday due to unusual schedules, shift work, etc., shall receive benefits of the holiday at another date or shall receive payment for time worked, whichever is the current departmental policy.

Holidays may not be carried over from year to year; that is, holidays must be taken in the year in which they occurred.

Absences

Employees who are absent from work due to injury or illness on the day before or after an authorized holiday may be required, at the discretion of the work unit supervisor, to present a doctor's statement on the nature of the injury or illness as it relates to the employee's ability to work on that day in order to receive pay for the holiday.

Employees who are on paid family medical leave will receive holiday pay.

Employees who are off without pay on a scheduled workday the day before or after a holiday will not receive holiday pay.

Holiday Overtime Eligibility

See Policy C - 2, page 4 of 7

Holiday During a Vacation

In the event an observed holiday occurs during the time an employee is on vacation, the employee is entitled to a substitute day for vacation purposes.

Religious Holidays

Employees requesting time off to observe religious holidays other than Christmas will be allowed to do so using vacation time, comp time, or leave without pay.

**POLICY STATEMENT**

Generally, City operations will be conducted at all times during inclement weather conditions. This policy provides guidance to employees about reporting to work and accounting for time during such periods. Specifically, inclement weather in the context of this document refers to extreme, sustained climatic conditions caused by snow, ice or flooding. City of Abilene employees should never assume City offices will be closed for inclement weather.

**GUIDELINES AND PROCEDURES**

1. Department directors are responsible for identifying positions that are considered “essential personnel” (such as fire fighters, police officers, and certain employees in water utilities, streets, traffic, etc.). Supervisors shall advise employees, prior to any threat of inclement weather, that they are in positions considered to be “essential” in the event of inclement weather. Essential personnel should plan ahead to ensure they are able to report for work in the event of inclement weather.
2. When the employees’ job duties allow, a supervisor may permit the employee to “telecommute” from home during an inclement weather event.
3. For **non-exempt** employees who are not able to report for scheduled work hours during inclement weather, the supervisor may allow the employee to account for absences using one or more of the following methods:
  - a. Use accrued compensatory time for the absence
  - b. Use accrued vacation leave for the absence
  - c. Flex time ***within the same work period*** to make up some or all of the time absent (the work period is seven (7) days for most employees, fourteen (14) for fire fighters)
  - d. Show as unpaid time off, according to City policy, if a and b above have been exhausted
4. **Part-time** and **temporary** employees who are not able to report for scheduled work hours during inclement weather will not be compensated for absences. However, part-time and temporary employees may be allowed to flex time within the same work period to make up some or all of the time missed, if scheduling permits.

5. For **exempt** employees who are not able to report for work due to inclement weather, the supervisor may allow the employee to account for absences using one or more of the following methods:
  - a. Use accrued vacation leave to account for the absence
  - b. Work additional hours to make up missed time
6. Employees who will be late for work, or miss work completely, must notify their supervisor prior to the start of their scheduled shift, or as soon as possible thereafter.
7. If any City offices are closed due to inclement weather conditions, the decision about which departments/divisions/locations will be closed is at the discretion and direction of the City Manager.

**POLICY STATEMENT**

Military Leave of Absence is granted in accordance with the amended Universal Military Training and Service Act as it applies to employees who leave their positions to enter the armed forces. In addition, the Reserve Force Act of 1955 is followed for all employees who enlist in the Ready Reserve of the Army Reserve or Naval Reserve. This policy applies to draftees, voluntary enlistees, reservists, and employees who are members of the National Guard.

**GUIDELINES AND PROCEDURES**

If an employee is a member of the National Guard or a military reserve unit of the United States, the employee will be granted up to fifteen (15) days off, **to be computed as eight (8) hour days or a total of 120 hours** per federal fiscal year (which begins in October) with pay to attend a regular training activity for the unit. Employees preparing to take authorized military leave shall furnish their Department Directors with copies of their military orders or other appropriate documents.

Employees taking military leave of absence in excess of fifteen (15) days may elect to use some or all of their vacation to supplement their military pay. Employees must indicate their request in writing.

Status During Leave

Employees will be on inactive status for the duration of the leave and return to their former positions or positions with the same seniority, status, and pay.

Benefit Plans Participation

For leaves of 30 days or less, the employee's participation in the group benefits will continue, provided that the employee portion of any premiums is paid. For leaves exceeding 30 days, participation in the group insurance plans will be suspended. Participation will be reinstated upon the employee's return from leave, according to the provisions of the plan.

**POLICY STATEMENT**

To establish procedures and guidelines for City of Abilene employees concerning internal communications, response to media inquiries, and approval and distribution of all news releases. The City seeks to provide consistent, accurate and timely information to the news media while keeping city officials informed of emerging media issues.

**GUIDELINES AND PROCEDURES**

To cooperate with the news media in a timely and efficient manner while maintaining an atmosphere of open communications

**PROCEDURES**

1. News Release Guidelines

All news releases shall be routed through the Communications and Media Relations Office (CMRO). A program manager may initiate a news release with the authorization of the appropriate director.

Departments should send draft information to the CMRO who will edit and manage the approval and distribution of all news releases. News releases should be submitted to the CMRO with as much advance notice as possible so that media deadlines can be met. The draft should include information on who, what, where and why. Moreover, the draft should be submitted in writing along with the names of persons who have additional information.

There may be circumstances when there are only indications that a newsworthy event may occur. Directors are encouraged to provide timely notification to the CMRO even when only partial information is available.

When a question exists about the type or appropriateness of an item, CMRO confers with those persons who can provide additional information to determine whether a news release should be disseminated.

Some releases receive only local media distribution while others are disseminated to a broader audience. Initiators may request additional media outlets for distribution.

Most news releases ae posted to the City of Abilene web site, e-mailed to the News Release online subscriber list and e-mailed to the City Council, City Manager's Office and Directors.

An exception to these guidelines is made with regard to public safety. The Fire and Police Departments will follow media procedures implemented by their respective Chiefs. Both Fire and Police Departments shall send an information copy of any news release to the CMRO.

2. Media Inquiries

The news media shall have access to all directors and department heads for interviews or briefings related to their areas of expertise and responsibility.

Directors and department heads may authorize others in their departments to release routine information to a reporter. This would be the same type of information that normally would be provided to any other citizen. Department heads may also wish to authorize interviews with key personnel. In most other situations, employees should refer media inquiries to the department head. This will give the media access to the most complete and accurate information available. It is preferred that employees who are designated to handle media inquiries or who could potentially handle due to job responsibilities take the Media Relations course offered by the CMRO.

It is recognized that the Fire and Police Departments receive ongoing media requests regarding daily activities. Media inquiries, information or situations that are serious, controversial or have city-wide impact must immediately be reported to the City Manager and the CMRO. The City Manager should also be notified in the event of fast breaking, escalating stories to assist in the response and to notify staff and City Council when appropriate.

3. Interviews

The CMRO is responsible for assisting the media by conducting interviews or coordinating interviews with other City staff. Employees who are contacted directly by the media for an interview shall notify both their supervisor and the CMRO about the request.

If it appears other City personnel may be interviewed as part of the same story, a post-interview briefing may be in order so other staff members likely to be interviewed can be informed of what was covered. This will avoid conflicting or contradictory statements.

The Communications and Media Relations Manager is available to all employees for advice, consultation and assistance in media relations. Upon request, he/she can be present for any arranged interviews with media personnel.

4. News Conferences

News conferences shall be held only in connection with major events of concern to the community. The CMRO will be involved in all planned news conferences except for those arranged by the Fire and Police Departments. However, Fire and Police personnel shall notify the CMRO of any planned news conferences in a timely manner.

5. Internal Communications

All departments will keep the City Manager and the Communications & Media Relations Manager informed of events and activities which are likely to make the news.

Following the standard procedures to keep the City Manager informed will allow him to inform the City Council.

The type of potential stories to report are those with a potential for controversy, those that might be considered negative or embarrassing, and those that might produce follow-up questions from the media. This task will be coordinated by the Communications & Media Relations Manager in the Communications & Media Relations Office (CMRO). Department heads should report in person or by telephone as soon as possible any information that falls into these categories:

- a. Controversial statements, accusations or debates occurring in meetings of advisory boards or commissions;
- b. Disruptions in City services such as garbage collection;
- c. Personnel issues such as suspensions or resignations of key individuals;
- d. Emergencies such as fires, explosions or accidents that result in damage to City property or that cause injury or death to City personnel;
- e. Industrial accidents that involve injury or death to employees of contractors or vendors doing business with the City;
- f. Accidents on City property resulting in injury or death to citizens;
- g. Incidents involving City personnel and injury or death to citizens including, for example, a traffic accident or a police shooting; and

- h. Interviews regarding a controversial or sensitive subject. This will let the CMRO know that a story is developing.

6. Public Information Requests

These requests shall be referred to the City Attorney's Office.

If a request is from the news media, a copy of the request shall be provided to the CMRO in a timely manner and prior to the concurrent with delivery of requested records.

7. Emergency Media Relations

In the event of a disaster or emergency that does not require the City's Emergency Operations Center (EOC) to be activated, the incident commander from the Fire Department or Police Department will assign a spokesperson to be responsible for primary media relations.

The Communications & Media Relations Manager serves as the primary spokesperson during a disaster or emergency when the EOC has been activated.

8. Employee Opinions

The expression of personal opinions on City business or City policy may not be done with City stationary or equipment, through a City e-mail account or during work hours. This includes, but is not limited to, for example, letters to the editor and blogs. If an employee chooses to identify himself as a City employee, he or she must include language which states the views set forth in the letter or communication do not represent the views of the City, but rather, are the employee's personally held opinions. Similar disclaimers must be made if the person addresses a public meeting or is interviewed by a news or radio broadcaster or reporter. Policy makers may express their independent professional views on any matter of City business or policy in their capacity as official representatives of the City.

**POLICY STATEMENT**

The City has no general objection to outside employment, so long as the outside employment does not interfere with the value and performance of an employee's duties with the City.

**GUIDELINES AND PROCEDURES**

Full-time employees shall notify and receive approval from their supervisors prior to securing a job in addition to their regular job for the City.

**POLICY STATEMENT**

Employees who work in City Hall shall be assigned parking locations as they become available. A request must be submitted to the Human Resources Division.

Employees who work in municipal operations other than City Hall may be assigned parking locations by the Department Director or supervisor.

**GUIDELINES AND PROCEDURES**

Employees shall park only in areas designated as employee parking areas.

**POLICY STATEMENT**

Employees are classified according to job classification, exemption status, the number of regularly scheduled work hours per week, and the duration of the position for which they are employed. Positions are evaluated to determine relationships between jobs. Employees are informed of their classification at the time of employment and whenever there are subsequent changes to that status.

**GUIDELINES AND PROCEDURES**

Employment Status Classification

Employees are classified according to hours of work and duration of position as defined below:

1. Regular Full Time
  - a. Works a regular schedule of at least 40 hours per week
  - b. Paid a monthly salary
  - c. Eligible for overtime pay if classified as nonexempt
  - d. Eligible for all employee benefits unless he or she fails to meet the eligibility requirements of a specific benefit
  
2. Regular Part Time
  - a. Works a regular schedule of less than 40 hours per week
  - b. Paid at an hourly rate
  - c. Eligible for overtime pay
  - d. Not eligible for employee benefits except holidays, personal accident insurance (PAI), dental and retirement.
  
3. Temporary
  - a. Employed to fill a short-term temporary need not to exceed six (6) months unless otherwise approved by the Human Resources Division.
  - b. Paid at an hourly rate
  - c. Not eligible for employee benefits

Job Evaluation

Application of a point-factor job evaluation system ensures objective and accurate internal relationships of job classes within the City. Jobs are evaluated based on job specification and job description questionnaires.

Jobs are evaluated using the criteria of expertise required to perform the job (education, training, and complexity of the job), decision-making (consequence of error and independence),

supervision exercised, contacts with others, and working conditions.

Employees are also classified as exempt or nonexempt based on their duties, responsibilities, and salary. Job title is not significant in determining this status.

1. Nonexempt - All employees except executive, administrative, or professional employees are nonexempt and, therefore, are subject to minimum wage and overtime provisions of the Fair Labor Standards Act.
2. Exempt - An exemption from both the minimum wage and overtime pay requirements is provided for any employee employed in a bona fide executive, administrative, or professional capacity as the terms are defined by the Fair Labor Standards Act relating to duties, responsibilities, and salary.

In determining an employee's eligibility for exemption under the two categories above, careful consideration must be given to the clause which states that no more than 20 percent of an employee's work week can be spent doing nonexempt work as defined by the Fair Labor Standards Act.

3. Civil Service Employees - Police officers and firefighters are governed by 1269m as well as FLSA. Separate provisions apply.

### Labor Market Analysis

The City of Abilene labor market analysis recognizes the areas with which the City must compete in terms of recruiting and retaining personnel. The appropriate market determined also takes into consideration employer size, geographic proximity, and nature of services provided. Labor market data is collected according to a structured methodology that ensure classes are in fact comparable to the City classes.

### Pay Structure

The City's pay structure is based on a combination of the relative rankings of each job (job evaluations) and the compensation survey. Pay policy lines are broken into ranges in order to group into common pay ranges jobs that have similar evaluation points.

Positions may be reclassified by either a general reclassification as necessitated by the Human Resource Division's pay and classification maintenance plan, or a Department's special request.

When it is determined by the Human Resources Division that a position is reclassified as a result of the City-wide pay study, and the result of the evaluation process determines that the

position receive an upward reclassification, the employee's pay will be placed at the minimum of the new pay range. If the employee's current pay rate is above the minimum of the new pay range, the employee will not receive a pay adjustment.

When it is determined by the Human Resources Division that a position is reclassified as a result of an individual pay study and the result of the evaluation process determines that the position receive an upward classification, the employee will be placed at the minimum of the new pay range or receive a five percent (5%) increase, whichever is greater.

Salary

Employees enter the classified system at the minimum salary (or base pay). Employees may be hired at a salary level higher than the minimum salary only with the prior approval of the Director of Administrative Services.

Specific forms with job-related performance evaluation criteria are utilized as the basis for employees to progress through their salary range. Length of employment with the City or length of time in a job is not a base salary consideration.

The Human Resources Division regularly surveys changing economic conditions and the local labor market. As the conditions warrant, the City Manager may make adjustments to the City's pay plan.

All changes in compensation shall be processed through the Human Resources Division and will take effect at the beginning of a pay period.

# CITY OF ABILENE

<b>PERFORMANCE REVIEW</b>	<b>PAGE</b> <b>1 of 2</b>	<b>POLICY NO:</b> <b>P-3</b>
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## **POLICY STATEMENT**

Performance reviews shall be carried out in accordance with established policies and procedures.

## **GUIDELINES AND PROCEDURES**

The job performance of each employee shall be reviewed and evaluated by the employee's supervisor. The purpose of the review and evaluation is to help employees and supervisors determine whether employees are performing at a satisfactory level, to identify areas of achievement and needed improvement, to establish performance objectives, and to provide management a decision-making tool regarding employee training needs, work assignments, promotion, and salary.

Performance reviews are to be conducted upon completion of the probationary period and annually (anniversary date of hire). Employees who do not consistently meet job requirements (below proficiency rating) should be reviewed more frequently than the normal annual cycle.

### Monitoring Performance

Reviewing and evaluating employees' performance is an on-going process and regular feedback allows employees to make necessary corrections before problems occur. Likewise, employees should be recognized for good performance.

Job performance should be evaluated several times throughout the rating period. Documentation is an important tool in tracking performance; a file should be kept during the year to assist and support the annual review form. Supervisors should use a combination of the following methods to document performance:

- a. comments about performance noted in a daily journal
- b. memos and notes to the files
- c. commendations
- d. disciplinary or corrective-action forms

All forms of documentation should be kept in the supervisor's file. If an employee transfers from one location to another, the supervisor's file for that employee should be forwarded to the employee's new supervisor. Supervisor file contents on terminated employees should be forwarded to the Human Resources Division.

The Performance Appraisal Report

The Performance Appraisal form should be completed according to instructions listed on the form. The process includes reviewing and updating job descriptions. For purposes of evaluating performance, employees are categorized according to FLSA guidelines as either exempt staff, nonexempt field/maintenance staff, or nonexempt office staff.

Rating Performance - Performance ratings should be supported by comments based on observations and evaluations against job requirements and standards. Refer to documentation gathered throughout the entire rating period to avoid focusing only on recent events or critical events.

Performance evaluations should be an ongoing process, thereby providing immediate feedback to employees on day-to-day performance. The written evaluation is intended to be a summary of the day-to-day interaction between the employee and the supervisor.

Pay For Performance

In order to reward job performance, the City has a pay for performance program. The objective of this program is to recognize outstanding performance with pay for performance increases.

Requests for pay for performance raises must be initiated by supervisors, and final approval must be obtained by the Department Director.

**POLICY STATEMENT**

Employees are expected to dress in a manner that is neat, clean, and appropriate to a business environment and their specific jobs.

Employees who are issued uniforms shall be responsible for maintaining their uniforms in a neat and orderly appearance. While in uniform, employees are responsible for conducting themselves in a manner that represents pride in the City of Abilene and the citizens they serve.

Supervisors must administer guidelines that are appropriate for their work units and counsel their employees when necessary.

**GUIDELINES AND PROCEDURES**

Uniforms

Employees who are required to wear uniforms will be provided new uniforms, complete with required insignia, etc., upon employment. Replacement uniforms will be furnished at City expense on an as needed basis. Supervisors are responsible for determining the need for uniform replacement.

Employees who terminate for any reason must return all uniforms and insignia issued by the City in order to receive their final pay check. Supervisors are responsible for the removal and return of all identifying patches and insignia.

Dress Code

Employees shall maintain neat, well groomed appearance and hair styles and wear apparel in accordance with department standards.

Casual Day

Employees should use good judgment with casual day attire. Consideration should be given to meetings with clients, board meetings, or other similar events that occur on casual days.

Certain articles of clothing are considered inappropriate at any time. Such articles include, but are not limited to the following:

- a. beach wear items, including foot thongs
- b. tank tops or halter tops
- c. frayed or ragged jeans or cut-off jeans
- d. sun dresses without some type of cover jacket

- e. T-shirts with inappropriate messages
- f. short shorts
- g. sweat suits
- h. Spandex outfits

Inappropriate clothing will not be allowed. **Supervisors are responsible for ensuring that their employees are not abusing the casual day policy.**

**POLICY STATEMENT**

Employment records of all employees will be maintained in personnel folders by the Human Resources Division. The files are City property and will contain documentation regarding aspects of the employee's service.

**GUIDELINES AND PROCEDURES**

Employees and authorized City officials who are interested in folder inspection should contact the Human Resources Division.

In order that a current personnel folder can be maintained on each employee, managers and supervisors shall submit to the Human Resources Division a notification/copy of all action relating to employees under their supervision (i.e., commendations, reprimands, performance reviews, Personnel Action Forms, etc.).

In order that employee records can be maintained with current information, all employees are required to notify the Human Resources Division whenever there is a change in address, telephone number, or name. In addition, employees are encouraged to notify the Human Resources Division whenever there are changes in:

- a. individual to notify in case of emergency
- b. marital status
- c. number of dependents
- d. beneficiary designation

**POLICY STATEMENT**

Employees are encouraged to be active in social, fraternal, and other community organizations and groups.

Employees are not required to have any political, fraternal, or religious affiliations as a condition of employment, nor will such connections influence any aspect of their employment.

Employees in the Firefighters' and Police Officers' Civil Service shall comply with the provisions of the state law governing political activities of firefighters and police officers.

**GUIDELINES AND PROCEDURES**

All employees are encouraged to vote and are free to express their personal opinions about candidates for office, but they shall not campaign during work hours for any person seeking office.

Generally, employees shall not actively participate in any manner whatsoever in election campaigns for City of Abilene municipal office, either on or off duty, in their official capacity as a City employee.

City employees shall not be appointed or retained on the basis of their political activities. Employees shall not use their positions of office to coerce support for a candidate from other employees.

**POLICY STATEMENT**

Providing information is one of the City of Abilene's primary functions, since public awareness, involvement and support are necessary to the continued effectiveness of local government.

The City of Abilene, its elected officials, and employees will make every attempt to provide factual, timely, and complete information to the citizens and media.

**GUIDELINES AND PROCEDURES**

Departments and divisions should determine the media interaction responsibilities of their employees and provide policy guidelines. Employees should be able to respond to media requests for information either with the necessary information, or with the name and telephone number of the person who can provide the necessary information. Departments and divisions should maintain an updated list of Division spokespersons and submit the list annually to Administration. Questions concerning the Texas "Open Records" Act must be referred to the City of Abilene Legal Department.

The organization, departments and divisions should develop press release materials that are consistent in format with Administration guidelines. Administration will provide examples of press release formats if requested. Departments and divisions should provide copies of press releases to Administration if they think inquiries about the information in press releases will result in inquiries to the City Manager, the Mayor, or the City Council.

Please refer to "Media Relations" policy M-2 for further information.

**POLICY STATEMENT**

New or newly promoted employees are required to serve a probationary period of six (6) months. Firefighters and police officers are required to serve a probationary period of twelve (12) months. The purpose of this period is to give the City and the employee time to determine the suitability of the match. While all employees are at-will, it is expected that greater than normal scrutiny regarding the appropriateness for continued employment will be applied by both the City and the employee during the probationary period.

**GUIDELINES AND PROCEDURES**

The probationary period allows time for supervisors to closely observe and evaluate the work of new and newly promoted employees and to aid and encourage adjustment to the job. The supervisor is responsible for reviewing the quality and efficiency of the employee's work. Performance reviews should be conducted upon completion of the probationary period and shall be completed annually (anniversary date of hire).

Employees who satisfactorily complete the probationary period will be upgraded to regular status. The following guidelines apply:

1. A new employee may be dismissed at any time during the probationary period when, in the supervisor's judgment and with the Department Director's approval, the quality of the employee's work is not such to merit continuation in City service. Any recommendation for dismissal should be discussed with the Director of Administrative Services prior to taking action.
2. An employee promoted to a new position whose work has not been satisfactory during the probationary period may, with the approval of the Department Director, revert back to his or her former position if his/her former job vacancy still exists.

All new employees who are dismissed during or at the completion of the probationary period shall be directed to report to the Human Resources Division for an exit interview. Refer to the Termination Policy (T - 2).

**POLICY STATEMENT**

City employees are to be considered for all vacancies. Divisions are encouraged to promote from within and give employees the opportunity to advance within the organization whenever possible.

**GUIDELINES AND PROCEDURES**

Transfers

Employees may apply for any vacancy that occurs within the City service. If an employee wishes to transfer to another division, there must be an advertised vacancy. The employee must submit a new application to be considered for the position.

Transfer of employees between departments and work units must be approved by the affected supervisors and Department Directors. However, in situations where the supervisor or the Department Director of the employee requesting the transfer does not approve, the employee may appeal the decision to the Director of Administrative Services.

1. The Director of Administrative Services shall investigate and recommend to the Department Director whether the transfer be approved or disapproved.
2. The deciding factors in the appeal shall be (1) the impact of the requested transfer on the work unit, (2) the best interest of the City, and (3) the best interest of the employee.

If an employee transfers from one division to another but keeps the same title and the same or similar duties, the employee's salary does not change. When an employee is transferred to another position in the organization, the anniversary date changes to the date of the transfer.

Promotions

When an employee is promoted, the anniversary date changes to the date of the promotion and the salary will be at the minimum of the new salary range or a 5 percent increase, whichever is greater. When employees transfer at their own request, the salary will be at the minimum point of the new range. Employees will not be placed above the control point.

**It is the supervisor's responsibility to ensure that an employee possesses the minimum qualifications and other needed requirements prior to transferring or promoting the employee.**

Promotions and transfers are submitted to the Human Resources Division on Payroll Adjustment Forms and are effective the beginning of a pay period.

# CITY OF ABILENE

<b>REFERENCES</b>	<b>PAGE</b> <b>1 of 1</b>	<b>POLICY NO:</b> <b>R-1</b>
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## **POLICY STATEMENT**

The City of Abilene has a neutral reference policy. All inquiries should be referred to the Human Resources Division.

**CITY OF ABILENE**

<b>RESIDENCE REQUIREMENTS</b>	<b>PAGE</b> <b>1 of 1</b>	<b>POLICY NO:</b> <b>R-2</b>
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**POLICY STATEMENT**

There shall be no absolute residency requirements for City employment. Employees likely to be called to work in cases of emergency may be required to reside within the City or within reasonable commuting distance of their places of work. Requests from Department Directors for residency requirements shall be processed through the Human Resources Division.

**CITY OF ABILENE**

<b>SOCIAL SECURITY &amp; UNEMPLOYMENT COMPENSATION</b>	<b>PAGE 1 of 1</b>	<b>POLICY NO: S-1</b>
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**POLICY STATEMENT**

As required by law, all regular City employees except police officers and firefighters are covered by Federal Social Security. All employees hired after April 1, 1986, including police officers and firefighters, are subject to the Medicare provisions of Social Security.

State Unemployment Compensation is also provided to all employees.

**POLICY STATEMENT**

The City of Abilene is committed to maintaining a work environment free from sexual harassment for all employees. Business decisions regarding employment, transfers, promotions, terminations, or any other conditions of employment based on conduct of a sexual nature will not be tolerated.

**GUIDELINES AND PROCEDURES**

Definition

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made a term or condition of employment, whether expressed in explicit or implicit terms;
2. Submission to or rejection of such conduct by the recipient is used as the basis of employment decisions affecting the recipient; or
3. Such conduct has the purpose or effect of:
  - a. unreasonably interfering with an employee's job performance; or
  - b. creating an intimidating, hostile, or offensive work environment.

Sexual harassment undermines employment relationships by creating an intimidating, hostile, or offensive work environment. The following are examples of sexual harassment:

Verbal: Unwelcome sexual innuendo, suggestive comments, insults, threats, jokes about gender-specific traits, or sexual propositions.

Nonverbal: Unwelcome suggestive or insulting noises, leering, whistling, or making obscene gestures.

Physical: Unwelcome touching, pinching, brushing of the body, coercing sexual intercourse, or assault.

Retaliating or discriminating against an employee for complaining about sexual harassment is prohibited.

Management Responsibility

It is the responsibility of each Department Director and supervisor to create an atmosphere free of sexual harassment as well as to ensure the application of this policy. This includes

informing all employees of the policy on sexual harassment and making a strong statement that unprofessional behavior that creates a hostile work environment will not be tolerated. All employees of the City are responsible for cooperating with any reviews, investigations, and other activities initiated within the framework of this Policy. To achieve ultimate effectiveness in the application of this Policy, the cooperation, support, and commitment of every employee is essential.

In addition, the following guidelines apply to all levels of City management and supervisory employees:

1. Affirmatively assuring employees that all forms of sexual harassment are expressly prohibited and that management will conduct a prompt and thorough investigation, in strictest confidence, of reported and suspected occurrences of sexual harassment and will take prompt and appropriate corrective action;
2. Informing the Director of Administrative Services of all reported and suspected occurrences of sexual harassment; and
3. Rejecting any offer or promise of sexual favors made by any employee or applicant in anticipation of, or in exchange for, some employment decision and concurrently advising such employee or applicant that such an exchange violates Policy and will not be tolerated.

Designation

The Director of Administrative Services is designated as the EEO Coordinator, with authority and responsibility to implement strategies to assure the achievement of the intent of the Policy and to investigate any and all claims of sexual harassment.

Complaint Procedure

Employees should follow the complaint procedure outlined in the Equal Employment Opportunity Policy (E - 3).

Retaliation against employees who bring sexual harassment charges, or assist in investigations of charges, is prohibited.

**POLICY STATEMENT**

Sick leave is provided as a benefit to regular full-time employees to prevent or minimize an employee's loss of income during time lost due to personal and family illness or injury. Two categories of sick leave are available to employees as defined below. Both categories of sick leave hours will be deducted from the regular Sick Leave balance.

Supervisors are responsible for controlling excessive absenteeism and abuse of sick leave by employees under their supervision. Employees are responsible for using sick leave responsibly and for using care in minimizing their time away from the job.

**GUIDELINES AND PROCEDURES**

Personal Sick Leave

Personal Sick Leave is time which can be used by an employee who is not able to perform assigned duties because of either an illness or injury or who has a medical appointment which cannot be reasonably scheduled during non-working hours.

Dependent Sick Leave

Dependent Sick Leave is leave time which can be used either due to the illness or injury of an immediate family member requiring the care of the employee or for the medical appointments for immediate family members. Dependent sick leave is limited to immediate family members. Immediate family members are defined as the employee's spouse, child or parent as defined by the Family and Medical Leave Act (FMLA).

The use of Dependent Sick Leave for an immediate family member's illness is limited to a combined maximum of 80 hours of sick leave per calendar year (or 120 hours for Fire employees assigned to a 24 hour shift schedule) and will be deducted from the regular Sick Leave balance. Additional leave must be approved by the supervisor and will be deducted from vacation leave. If vacation leave is not available, unpaid leave may be granted according to the applicable City policies.

Any exceptions to this policy must be approved by the Director of Administrative Services.

Family Medical Leave

When appropriate, sick leave will run concurrent with benefits outlined in the Family and Medical Leave Policy. Refer to Policy F-1 to determine eligibility for Family and Medical Leave (FMLA). Absences of more than three (3) consecutive work days for either Personal or Dependent Sick Leave are determined to be potential FMLA occurrences and Human Resources should be notified immediately. Also certain intermittent leave as defined in the FMLA policy should be reported to Human Resources.

Notification

Employees who are absent from work due to illness or injury shall notify their supervisor as soon as possible, normally no later than their scheduled time for beginning work or within the time frame established by the division. Supervisors may require that employees complete a Sick Leave Request and Authorization Form for each Sick Leave absence (Personal or Dependent). Employees who fail to report their illness may be penalized by not receiving sick leave for the time absent from duty and/or may be subject to disciplinary action.

Employees may be required to submit a signed statement from a physician to verify their need to use sick leave and/or to release the employee to return to work. Employees who misrepresent their need to use sick leave will be subject to appropriate disciplinary action. A pattern of sick leave usage which suggests misuse or abuse of the benefits is grounds for disciplinary action.

The supervisor may send an on-duty employee home who, at the discretion of the supervisor, is deemed unable to satisfactorily perform the job due to illness or injury, or who may affect the performance of other workers. Available sick leave will be applied to the absence.

Accrual

Accruals are earned in each pay period which includes the 15<sup>th</sup> or the last day of the month. Therefore, accruals occur in twenty-four (24) pay periods annually. Two (2) pay periods each year will not include an accrual.

Employees accrue five (5) hours of sick leave in each eligible pay period (equivalent to ten [10] hours per month). Fire employees assigned to a 24 hour shift schedule accrue seven and one-half (7.5) hours of sick leave in each eligible pay period (equivalent to fifteen [15] hours per month).

Full-time employees are eligible to use sick leave in the pay period following thirty (30) days of employment for Personal Sick Leave or Dependent Sick Leave, as outlined in this policy. Accumulation of sick leave is unlimited. Sick leave not used may be carried over into the next year and accumulated for the employee's future use.

**An employee who is on leave without pay for a full pay period will not accrue sick leave during that pay period.**

Sick Leave and Vacation Leave

An employee who becomes ill, injured, or otherwise temporarily disabled during vacation leave may request approval from their supervisor for the vacation leave to be terminated and the time absent to be charged to sick leave.

**SICK LEAVE**

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No Sick Leave Balance Available

If an employee has exhausted earned sick leave, time off shall be charged to any applicable accrued leave balances such as vacation, holiday or compensatory leave. Unpaid leave must be granted according to the applicable City policies.

Extended Leaves

Supervisors should refer to the Family and Medical Leave policy regarding an employee's absence for an injury, illness or temporary disability. If an employee's absence is anticipated to be more than three (3) days, or once the employee exceeds three (3) days of absence, due to either their own illness/injury or to their family member's illness/injury, the absence should be reported to Human Resources.

Employees are required to give as much advance notice as possible for foreseeable leaves.

Donation of Accumulated Sick Leave for Major or Catastrophic Leave

Under special circumstances, employees may donate accrued sick leave to other employees to be used for the employee or their immediate family members, limited to their spouse or child/step child living in the same household. Each request will be considered on an individual basis. The guidelines set forth in Policy C-4 Catastrophic Leave apply.

Employees Not Returning to Work

If employees are not planning to return to work following an extended sick leave, they must notify their supervisor or the Human Resources Division prior to the expiration of the leave (as defined by the doctor's statement). An employee who does not return to work within the time frame specified by the doctor will be subject to disciplinary action.

Sick/Injury Leave Reward Program

Employees who qualify for the Sick/Injury Leave Reward Program will be given a personal day off with pay. To qualify, an employee must meet the following criteria:

1. Be employed in a regular, full-time position for a full calendar year.
2. Use no more than a combined total of three days of Sick Leave (Personal or Dependent), and/or Injury Leave (on-the-job injury), based on the Payroll calendar year.

Employees must take their personal day during the following calendar year. The day cannot be carried over and will not be paid if not used, nor will it be paid upon separation.

# CITY OF ABILENE

**SMOKE-FREE & TOBACCO-FREE  
WORKPLACE ENVIRONMENT**

**PAGE  
1 of 1**

**POLICY NO:  
S-4**

## **POLICY STATEMENT**

The City of Abilene is committed to providing a safe and healthy workplace and to promoting the health and wellbeing of its employees. To this end, the City maintains a smoke-free and tobacco-free workplace environment.

Pursuant to the City of Abilene's Smoking Ordinance, adopted effective January 3, 2007 at 12:01 a.m., the City of Abilene, as an employer, institutes the following policy:

As required by **Chapter 10 of the Code of the City of Abilene, Fire Protection and Prevention, Article III: Fire Prevention Code, Division 2, "Smoking Restrictions"**,

- All City of Abilene buildings and facilities are considered **smoke free** environments.
- Additionally, City-owned **vehicles** are considered designated work areas and, as such, are **smoke free** environments. ***Smoking inside City vehicles is strictly prohibited.***
- Smoking is permitted **only** in designated areas that are more than twenty (20) feet from any entrance, operable window or ventilation system of any City-owned building or facility.
- Employees and visitors, who wish to smoke, must leave a City-owned building or facility and smoke at least 20 feet away from any entrance, operable window or ventilation system. The ability to do so shall comply with "break" procedures implemented by the employee's immediate supervisor and in compliance with overall City policy.
- City-owned buildings and facilities will comply with signage requirements of the Smoking Ordinance.
- Ash cans or other receptacles for extinguishing smoking materials may be positioned at or near entrances to City-owned buildings/facilities, but solely for the purpose of extinguishing materials, **not** to designate said area as a smoking area.
- City employees share in the responsibility for adhering to this policy and bringing it to the attention of persons visiting or utilizing City buildings and facilities.

Further, the City of Abilene prohibits the use of ***smokeless tobacco products*** in any City-owned building, facility or vehicle. Any employee wishing to use smokeless tobacco may do so outside City-owned buildings, facilities or vehicles within parameters defined by his/her immediate supervisor as "break" procedures, in compliance with overall City policy.

Failure to comply with this policy may lead to disciplinary action, up to and including termination of employment.

Employees who smoke or who are users of smokeless tobacco are encouraged to contact Human Resources for options available to them for tobacco cessation programs.

**POLICY STATEMENT**

City property and premises are for the purpose of conducting business. Employees should be permitted to work in an environment free from interruptions of a non-work related nature. Solicitation by any individual or group on City premises is prohibited except in the limited circumstances listed below.

**GUIDELINES AND PROCEDURES**

Definition

“Solicitation” is defined as the sale of any product or service, the collection or pledging of funds or signatures for any purpose, requests for any manner of support or opposition to an organization or activity, or the posting of information related to these activities.

1. Employees may not engage in solicitation during working time, which includes the working time of the employee who is soliciting and the employee who is being solicited. Similarly, employees may not distribute literature during their working time or at any time in work areas. For purposes of this rule, “working time” does not include lunch periods or other break times.
2. All non-employees are prohibited from engaging in solicitation or distributing literature on City property at any time. This does not apply to vendors who are calling on City representatives for business purposes.
3. Any non-employee engaging in soliciting will be asked to leave the City premises immediately.
4. Solicitations for support of charities may be conducted when approved in advance by the Director of Administrative Services. No other exceptions may be made.

**POLICY STATEMENT**

The City maintains a firm commitment to provide a safe work environment that is free from the effects of illegal drugs and alcohol as well as the abuse of legal/prescription drugs. Violations of the City’s Substance Abuse and Testing Policy may result in severe disciplinary action, up to and including termination of employment.

**GUIDELINES AND PROCEDURES**

**APPLICABILITY**

- A. This policy shall apply to all employees of the City of Abilene, including all Civil Service and civilian employees of the Abilene Fire and Police Department as adopted by their Standard Operating Procedures (SOP) and/or the Local Civil Service Rules and Regulations, volunteers and applicants. This policy is applicable to employees regardless of status, whether they are full-time, part-time or temporary.
  
- B. Employees are required to notify the City of any criminal drug statute conviction no later than five days after such conviction. Any employee who fails to do so shall be subject to disciplinary action, up to and including termination.

**PROHIBITIONS**

- A. The City shall not hire applicants who are under the influence of drugs and/or alcohol, who fail to pass a required drug and/or alcohol test, or who refuse to submit to a required drug and/or alcohol test.
  
- B. Employees shall not use, have present in their body or on their person any alcohol, illegal drugs, intoxicants or any other prohibited substances when they report to work or while on duty. Employees shall not be under the influence of or have the odor on their breath or clothing of alcohol, illegal drugs, intoxicants or any other prohibited substances when they report to work or while on duty. Employees shall not have alcohol, illegal drugs, intoxicants or any other prohibited substances in City vehicles or on City premises. Violation of this prohibition shall result in disciplinary action up to and including termination, except if the act is required in the performance of the employee’s official duties.

- C. Employees shall not use or possess prescription drugs except as directed by their physician. Employees shall not use prescription drugs or over-the-counter (OTC) medications in a manner inconsistent with recommended dosages and/or warning statements. Violations of this prohibition shall result in disciplinary action up to and including termination.
  
- D. Employees shall not use, possess, provide, dispense, distribute to other persons, or unlawfully manufacture or sell any alcohol, unauthorized prescription or illegal drugs, intoxicants, or other prohibited substances while on duty, on-call, on stand-by, on meal or break periods, on City premises, operating a City vehicle, or while in City uniform. Violations of this prohibition shall result in disciplinary action up to and including termination except if the act is required in the performance of the employees' official duties.
  
- E. Employees who are required to have a Commercial Drivers License (CDL) shall not use alcohol within four hours of reporting for duty or within eight hours of being involved in a vehicle accident while operating a commercial motor vehicle, unless the employee has submitted to a post-accident drug and/or alcohol test. Violations of this prohibition shall result in disciplinary action up to and including termination.
  
- F. Employees shall not refuse to submit to a drug and/or alcohol test when requested, required or ordered to submit by a person having the authority to do so under this or any other City policy, SOP, or General Order.
  - 1. An employee who fails to provide an unaltered, unadulterated urine specimen, who submits a urine specimen other than their own, who submits a urine specimen of low integrity, or who in any way tampers or attempts to tamper with their specimen or the testing of said specimen shall be deemed to have refused to submit.
  
  - 2. An employee who fails to provide an adequate volume of breath or urine for testing, without a valid medical explanation, shall be deemed to have refused to submit.

An employee's refusal to submit to a requested, required or ordered drug and/or alcohol test shall be considered to be a positive test result. If the refused test was for drugs, the employee shall be terminated. If the refused test was for alcohol, the consequences in Section III shall apply.

- G. An employee who is arrested and/or convicted for a drug or alcohol related offense is subject to severe disciplinary action up to and including termination, even for a first offense.
- H. Any supervisor/manager who is found to have deliberately misused the Policy in regard to subordinates, who violates the confidentiality standards of the Policy, or who has actual knowledge that an employee has violated any of the prohibitions of this section and fails to take appropriate action, shall be subject to severe disciplinary action, up to and including termination.

**CONSEQUENCE OF A POSITIVE TEST**

**A. Positive Drug Test**

- 1. Any applicant who tests positive for drugs, who in any way fails to submit to a post-offer drug test, or who in any way violates any of the prohibitions listed in Section II, will not be hired and shall be considered ineligible for re-application for employment with the City for a period of one year.
- 2. Any employee who tests positive for drugs or who in any way fails to submit when requested, required or ordered to take any of the tests listed in this policy shall be terminated immediately, even for a first offense.
- 3. The Abilene Police Department and other applicable law enforcement agencies may be notified, as appropriate, where criminal activity is suspected.
- 4. Suspension without pay for the duration of the investigation may be applied to any employee who is the subject of a drug-related inquiry by the City or a law enforcement agency.

**B. Positive Alcohol Test**

- 1. As a minimum, employees with a positive alcohol test of 0.02 g/dl to 0.039 g/dl will be taken off duty for a minimum of one day. Said employee may be suspended without pay and will remain off duty until the employee passes a return to duty alcohol test with a negative test result.

2. Employees with a positive alcohol test of 0.04 g/dl or above are subject to disciplinary action up to and including termination.
  
3. If an employee is not terminated due to a positive test of 0.04 g/dl or above, the employee shall be subject to the following:
  - a. evaluation by a Substance Abuse Professional (SAP). All costs associated with this evaluation and any subsequent treatment shall be the responsibility of the employee, except as may be covered by the Employee Assistance Program (EAP) or the employee's insurance;
  - b. compliance with any treatment or rehabilitation program required by the SAP;
  - c. return to work alcohol test with a negative test result; and
  - d. unannounced follow-up alcohol and/or drug tests as required by the SAP. These tests will occur a minimum of six times in the first 12 months following the employee's return to work, but shall not exceed 60 months. The SAP may discontinue follow-up testing after the first six tests if the SAP determines that such testing is no longer necessary.
  
4. A second positive alcohol test, regardless of level, in a 12-month period will subject the employee to termination.

**PRESCRIPTION DRUG USE**

- A. Any employee who may be undergoing medically necessary treatment with a prescription medication, or is using an OTC medication, which may limit the employee's ability to effectively and safely perform job duties, must report this treatment to his or her supervisor prior to beginning work. Failure to report this to the supervisor shall be just cause for disciplinary action up to and including termination.
  
- B. The City shall be the final judge as to the effect that a legal drug may have upon an employee's work performance and may restrict the employee's work activities or presence at the workplace accordingly. The City also reserves the right to have the employee's physician or a physician of its choice determine if the medication at the prescribed dosage produces hazardous effects, and may restrict the employee's work activities accordingly.

- C. If, prior to being selected to undergo a requested, required or ordered drug and/or alcohol test, an employee voluntarily admits to the abuse or misuse of prescription drugs or OTC medication, the City may allow the employee to seek assistance and remain employed with the City. In these situations, the employee must sign the Agreement for Unannounced and Unscheduled Drug and/or Alcohol Testing form, found in the Forms Section of this manual, agreeing that he or she will:
1. Submit to a return to work drug test and obtain a negative result;
  2. Voluntarily submit to unannounced follow-up drug tests during the next twelve months; and
  3. Comply with any treatment recommended by the employee's physician or SAP.

A positive drug test result on the return to work drug test, any of the unannounced follow-up tests, any random test, any reasonable suspicion test, or any post accident or injury test will result in termination.

**EMPLOYEE ASSISTANCE PROGRAM (EAP)**

Employees are encouraged to voluntarily seek assistance in dealing with alcohol, OTC or prescription medication, and/or drug abuse problems. If received prior to a problem affecting job performance or attendance, or a requested, required or ordered drug and/or alcohol test, a request for assistance will not, in itself, be considered grounds for disciplinary action. Employees participating in the EAP will be expected to meet existing job standards, expectations, and work rules. EAP services are not a substitute for, nor do they preclude or alter, normal disciplinary action procedures. Supervisors and employees should refer to the EAP Policy (E-4) located in this manual for further information.

**DRUG AND ALCOHOL TESTS**

- A. Post-Offer Employment Testing

1. Every prospective employee, as a condition of an offer of employment, shall sign the Release for Post-Offer Drug Test form, found in the Forms Section of this manual, and shall undergo testing for drugs.
  
2. Prospective employees who fail to pass a post-offer drug test or who in any way refuse to submit to a post-offer drug test, shall not be allowed to report to work and are considered ineligible for employment and  
  
shall not be eligible for re-application for employment with the City for a period of one year.
  
3. No Division/Program Manager or supervisor shall allow a prospective employee to begin work until they have received confirmation from Human Resources that the prospective employee has tested negative for drugs.
  
4. Employees who are required to have a CDL will not have to submit to a post-offer drug test under the following conditions:
  - a. the prospective employee has participated in a drug testing program that meets the United States Department of Transportation's (USDOT) requirements during the previous 30 days; and
  - b. while participating in that program, the prospective employee was tested for drugs within the past six months with a negative test result or the prospective employee participated in a random drug testing program for the previous 12 months; and
  - c. the City is able to ensure that no prior employer of the prospective employee has records of a violation of USDOT regulations regarding drugs during the previous six months.
  
5. The City may obtain, pursuant to an applicant's written consent, any of the information concerning the applicant which is maintained under United States Department of Transportation (USDOT) regulations by the applicant's previous employers.
  
6. Pursuant to an applicant's written consent, the City shall obtain information for the preceding two years regarding:
  - a. alcohol tests with concentration results of 0.02 g/dl or greater;

- b. any positive drug test results; and
- c. any refusals to be tested.

7. The information in the paragraph above must be obtained and reviewed by the City prior to the first time the employee operates a commercial motor vehicle.

8. The City may deny employment to an applicant or terminate the employee, but in no case will the City allow the employee to perform a safety-sensitive function if the City obtains information:

- a. of an applicant or employee's alcohol test result with a concentration of 0.04 g/dl or greater;
- b. of an applicant or employee's verified positive drug test result; or
- c. of an applicant or employee's refusal to submit to an alcohol or drug test.

**B. Promotion, Reassignment and Transfer Testing**

1. All employees who are promoted, reassigned or transferred from a non-CDL position to a CDL position, from a non-safety sensitive position to a safety sensitive position or from a non-supervisory position to a supervisory position shall submit to a drug test. For purposes of this policy, a safety sensitive position shall be defined as any position where the employee operates a vehicle and/or other mobile equipment on behalf of the City, or as otherwise designated by the City.

**C. Post-Accident and Post-Injury Testing**

1. Any employee who, while on duty, is injured, contributes to the injury of another person, is involved in a vehicle accident, or contributes to the damage of property shall be required to submit to a drug and/or alcohol test when requested, required or ordered by any of the employee's supervisory/management staff, the City Manager, Assistant City Manager and/or designated employees of the City Attorney's Office, Risk Management and/or Human Resources.

2. In addition to the requirements above, employees who are required to have a CDL must submit to be tested for drugs and alcohol under the following circumstances:

- a. when the vehicle accident results in a fatality; or
- b. when the employee receives a citation for a moving traffic violation and:
  - 1) a vehicle sustains damage and must be towed from the scene; or
  - 2) the vehicle accident results in bodily injury where a person seeks medical treatment away from the scene.
- 3. Employees who are potentially subject to a post-accident or injury drug or alcohol test must remain readily available for said test or shall be deemed to have refused to submit.
- 4. An employee who is seriously injured and cannot provide a specimen for either alcohol or drug testing at the time of the accident shall, as soon as is practical, provide the necessary authorization to allow the City to obtain hospital reports and other documents that would indicate whether there were any drugs or alcohol in his or her system at the time of the accident.
- 5. The results of an alcohol or drug test conducted by federal, state or local officials having independent authority to order such a test shall be considered to meet the requirements of this section, provided the results are obtained by the City.
- 6. An employee who has submitted to a drug and/or alcohol test following a vehicle accident or an on-the-job injury will be allowed to return to his or her normal work duties immediately unless other factors exist to determine otherwise. This section in no way implies that an employee must return to work where the extent or nature of their injury would prohibit it.

**D. Reasonable Suspicion Testing**

- 1. An employee shall be tested for alcohol and/or drug use if there is a reasonable suspicion that the employee is in possession of, has present in his or her person, or is under the influence of drugs and/or alcohol.
- 2. Written documentation of the observations leading to a request for a drug and/or alcohol test shall be prepared by the supervisor or other City official who made the observations. The Supervisor's Documentation for Drug and/or Alcohol Testing form, found in the Forms Section of this manual, may be used for this purpose.

3. The decision to require an employee to submit to a drug and/or alcohol test will be made by at least two management officials, **preferably the Department Director and the Director of Administrative Services or their designees**. In no case shall a reasonable suspicion test be performed without first notifying the Human Resources Division of Administrative Services.
4. An employee who is required to submit to a reasonable suspicion drug and/or alcohol test may be placed on administrative leave with pay until such time as the results of the drug and/or alcohol tests are received. At such time as the test results are received, the employees' status will be re-evaluated.

E. Random Testing

1. The employees subject to random drug and/or alcohol testing are listed in Appendix A.
2. The office of Risk Management will determine the time and place for random testing and will notify the Division/Program Manager or his/her designee of the employees who have been randomly selected for testing. The Division/Program Manager or his designee shall:
  - a. arrange for transportation of the employee(s) selected for testing to the designated collection site;
  - b. notify the employee(s) selected for testing in such a manner as to ensure that no opportunity exists to further ingest any substances that may in anyway jeopardize the validity of the test;
  - c. ensure the employee signs the Consent Form for Reasonable Suspicion/Random/Post-Accident/Post-Injury Testing form, found in the Forms Section of this manual; and
  - d. promptly take the employee(s) selected to the designated collection site.
3. An employee who is selected to undergo a random drug test, but is absent due to vacation, illness or other legitimate reason, shall submit to a drug test once they return to duty.
4. Employees who are selected to undergo a random alcohol test will only do so while performing a safety-sensitive function, just before the

employee is to perform a safety-sensitive function, or just after the employee has ceased performing a safety-sensitive function.

5. An employee who is selected to undergo a random alcohol test, but is absent due to vacation, illness or other legitimate reason, shall not be subject to testing unless selected during the next random testing period.
6. An employee who has submitted to a random drug and/or alcohol test will be allowed to return to his or her normal work duties immediately, unless other factors exist to determine otherwise.

**TESTING PROCEDURES**

A. Drug Testing Procedures

1. The drugs and the levels to be tested for by the City are listed in Appendix B.
2. The City will utilize only those laboratories certified by the Department of Health and Human Services (DHHS), National Institute for Drug Abuse (NIDA) and/or the Substance Abuse and Mental Health Services Administration (SAMHSA).
3. For positions requiring a CDL, an employee or applicant may request that the split sample be tested at another certified laboratory provided such request is made within 72 hours of notification of the test results. The employee or applicant must pay for, in advance, the cost of shipping and testing. However, if the split sample test is negative, the City shall reimburse the employee or applicant for that expense.
4. Any detectable level of the drug revealed in the confirmation test will be considered corroborative of the original positive test results.

B. Alcohol Testing Procedures

1. Alcohol testing shall be conducted by breath test using evidential breath testing (EBT) devices approved by the National Highway Traffic Safety Administration (NHTSA).

2. The first test is an initial screening test. Any test result less than 0.02 g/dl shall be recorded as a negative test.
3. If the initial screening test result is 0.02 g/dl or more, a confirmation test will be performed. A test result of 0.02 g/dl or more on the confirmation test shall be reported to the City as a positive test result.

**CONFIDENTIALITY**

- A. All employee information relating to drug and alcohol testing will be protected by the City as confidential unless otherwise required by law, or authorized in writing by the employee. There may be some instances where overriding public health or safety concerns may require the release of information otherwise considered confidential.
- B. Nothing contained in this section will prohibit the testing facility, SAP or MRO from releasing to designated City employees the information relevant to an employee's test results.
- C. The City will ensure that only those persons on a need-to-know basis or those persons in management directly involved in the decision-making process will obtain any drug or alcohol testing information retained in files maintained by the City.
- D. The tested employee is entitled, upon written request, to obtain copies of any records pertaining to his or her use of alcohol or drugs, including records pertaining to tests and test results.

The City shall release information regarding an employee's records as directed by a specific, written consent of the employee authorizing release of the information to a specifically identified person or entity.

**APPENDIX A**

Positions Subject to Random Drug and/or Alcohol Testing

Effective April 1, 2000, the following positions within the City of Abilene will be required to submit to random drug and/or alcohol testing as a condition of their continued employment with the City:

1. Any employee who is required to have a Commercial Drivers' License (CDL) as part of their job description or job duties.
  
2. Any employee who drives or operates a vehicle or mobile equipment owned or leased by the City and/or whose driving status is classified as either Primary or Incidental.

**APPENDIX B**

Substances to be Tested For and Levels

The City of Abilene shall test for the following substances:

**SUBSTANCE**

**CUT-OFF LEVELS**

**D.O.T.**

	<b><u>Initial</u></b>	<b><u>Confirmation</u></b>
Marijuana (THC)	50 ng/ml*	15 ng/ml
Cocaine	300 ng/ml	150 ng/ml
Amphetamines	1000 ng/ml	500 ng/ml
Opiates (including Heroin)	2000 ng/ml	2000 ng/ml
Phencyclidine (PCP)	25 ng/ml	25 ng/ml
Alcohol	0.02 g/dl**	0.02 g/dl

**Non-D.O.T.**

Marijuana (THC)	50 ng/ml*	15 ng/ml
Cocaine	300 ng/ml	150 ng/ml
Amphetamines	1000 ng/ml	500 ng/ml
Opiates (including Heroin)	2000 ng/ml	2000 ng/ml
Phencyclidine (PCP)	25 ng/ml	25 ng/ml
Barbiturates	300 ng/ml	200 ng/ml
Benzodiazepines	300 ng/ml	200 ng/ml
Alcohol	0.02 g/dl**	0.02 g/dl

\*ng/ml – nanograms per milliliter. A nanogram is one billionth of a gram. A milliliter is one thousandth of a liter.

\*\*g/dl – grams per 210 liters of breath.

If the presence of these substances, in amounts greater than that listed, is detected, then the employee shall be subject to disciplinary action up to and including termination.

# CITY OF ABILENE

## **POLICY STATEMENT**

To establish guidelines for City of Abilene employees about the use of Social Media websites and online social networking on behalf of the City of Abilene organization.

## **GUIDELINES AND PROCEDURES**

The Communications & Media Relations Office (CMRO) is responsible for overseeing the City's official web presence via Social Media.

## **DEFINITIONS**

### **1. Social Media**

Various forms of discussion and information sharing including social networks, blogs, video sharing, podcasts, wikis, message boards and online forums. Technologies include: picture-sharing, wall-postings, e-mail, instant messaging and music sharing to name a few. Examples of social media applications include but are not limited to Google and Yahoo Groups (reference, social networking), Wikipedia (reference), MySpace (social networking), Facebook (social networking), YouTube (social networking and video sharing), Flickr (photo sharing), Twitter (social networking and microblogging), LinkedIn (business networking), and news media comment sharing/blogging.

### **2. Online Social Networking**

The practice of expanding the number of one's business and/or social contacts by making online connections through individuals. Websites dedicated to social networking include Friendster, LinkedIn, MySpace and Facebook.

## **PROCEDURES**

1. Social Media/Networking in an official capacity .
  - a. Use of such social media sites as Facebook, MySpace or Twitter when doing so as the official spokesperson for a Department must be authorized by the employee's Department Director as well as the City Manager, and coordinated with the City's CMRO. The CMRO will serve as the official spokesperson for the City in the area of Social Media/Networking.



**CITY OF ABILENE**

**TELECOMMUNICATIONS  
& TECHNOLOGY SYSTEMS USAGE**

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**POLICY NO:  
T-1**

**POLICY STATEMENT**

The City of Abilene maintains various Telecommunications and Technology Systems. These systems are provided by the City to assist City employees in conducting City business. Employees are expected to use these systems in a reasonable manner, acting responsibly to accomplish job duties.

Telecommunications and Technology Systems include, but are not limited to, telephone equipment and services, voice mail, personal computer ("PC") hardware and software applications, electronic mail ("e-mail"), Internet access, facsimile ("FAX") machines, pagers, cellular phones, and radio telephones.

Any employee who violates this policy or uses the Telecommunications and Technology Systems for improper purposes shall be subject to disciplinary action, up to and including termination of employment.

**GUIDELINES & PROCEDURES**

All Telecommunications and Technology Systems, including all hardware and software components, are City property. Additionally, all communications generated, composed, sent or received utilizing City provided devices or services are, and remain, the property of the City. These communications are not the private property of any employee.

While personal usage of City Telecommunications and Technology Systems may occur from time to time, it is expected that any personal usage be reasonable, time conservative, within the parameters of this policy and not create additional cost for the City. Furthermore, personal usage shall not distract from accomplishing the business and services of the City. If personal usage of cellular phones or long distance services (phone, fax, etc.) occur, reimbursement must be made to the Finance Department. Supervisors reserve the right to suspend, limit, or revoke the personal use of any or all City Telecommunications and Technology Systems.

City Telecommunications and Technology Systems may not be used to solicit for commercial ventures, religious or political causes, outside organizations, or non-job related solicitations, including chain mail. Refer to policy, S-5, Solicitation, for further information.

City Telecommunications and Technology Systems are not to be used to create, send or receive any offensive, threatening or disruptive messages. Examples include any messages which contain sexual implications, racial slurs, gender-specific comments, or any other comment that inappropriately or offensively addresses someone's age, color, sex, race, religion, national origin or disability.

**CITY OF ABILENE**

**TELECOMMUNICATIONS  
& TECHNOLOGY SYSTEMS USAGE**

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**POLICY NO:  
T-1**

City Telecommunications and Technology Systems shall not be used to illegally send/upload or receive/download or otherwise transfer copyrighted materials (including software) or proprietary financial information. Information may be downloaded from the Internet as long as it is for legitimate business purposes. Downloaded information should be saved to a disk or your local hard drive rather than opened from the e-mail. In other words, when asked the question "What would you like to do with this file?", the response should be "Save it to disk." The window will then allow the user to direct the computer where the file should be saved. The user should then, before opening the attachment, scan the file using the virus scanning software on the network.

Certain situations may arise that necessitate the transfer of confidential information (data files) over the Internet. Computer Services staff should be consulted for assistance when this need arises to ensure confidentiality of data is maintained.

The City reserves and may exercise the right to review, audit, intercept, access and disclose any and/or all messages created, received or sent by City Telecommunications and Technology Systems for any purpose. It should be noted that although a message or file is deleted or erased, it is still possible to recreate the message or file.

The confidentiality of information should not be assumed. Employees do not have a personal privacy or property right in regard to messages created, received or sent. All passwords are the property of the City and may be overridden as needed. Notwithstanding the City right to retrieve and read/listen to any telecommunication messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve, read, or listen to any communications that are not sent to them unless authorized to do so by the sender or recipient.

Department Directors and supervisors have the responsibility of ensuring that employees with City Telecommunications and Technology Systems responsibilities are instructed in the proper use and security measures.

Telephone Equipment and Services

Telephones in City offices are intended for official use. Employees at the various work stations may use the telephones for reasonable personal usage when necessary (for example, to call home, to call the doctor's office, etc.). Personal usage of the telephones shall be kept to a minimum so that the lines of communication between work stations and the public may remain open. Employees are expected to follow prudent practices for usage of cellular phones and control of the associated costs. Cellular phone and long distance (phone, fax, etc.) usage is monitored. If personal usage of cellular phones or long distance services occur, reimbursement must be made to the Finance Department.

**CITY OF ABILENE**

**TELECOMMUNICATIONS  
& TECHNOLOGY SYSTEMS USAGE**

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**POLICY NO:  
T-1**

Each telephone with activated voice mail capability shall have a recorded voice mail greeting. When possible, the voice mail greeting should include an alternate referral number

for the caller to contact if they do not wish to leave a voice mail. However, it is acceptable for Departments, Divisions and work units to not have an activated voice mail greeting if secretarial or other designated staff services all incoming calls during business hours.

PC Hardware and Software

The individual user has responsibility for ensuring the security and integrity of the City's information systems. City employees shall regard any electronic identification ("ID") or password as an electronic signature. Unauthorized use or sharing of ID's or passwords is considered falsification of documentation and is strictly prohibited.

When not in use, a PC should be protected by invoking a password protected screen saver or by locking the workstation. Procedures for accomplishing this level of workstation security are available from the Computer Services Help Desk. PC's should be logged off the network at the end of the business day.

The use of technology system components brought from an employee's home is prohibited. Examples include, but are not limited to, speakers, software (including games and screen saver programs), and printers.

Disk space and storage capacity is limited. Each user should make efforts to manage files and archive or discard unnecessary information. It is important to note that information produced and/or stored on the City's Telecommunications and Technology Systems may be subject to retention schedules. Contact the City Secretary for more information.

Electronic Communication

Electronic communication becomes the property of the City of Abilene when it enters into or originates from the domain of the City of Abilene-owned devices, services, or systems. Internet access is monitored and actual web-site connections are recorded.

Incoming electronic communications, particularly e-mail, are not within the control of the user recipient. However, users can ensure safeguarding of the City's system by practicing prudent procedures in opening and handling incoming communications. Users should treat each e-mail received with scrutiny. E-mail, attachments and communications from an unknown source, or any suspicious communications, should not be opened and should be immediately deleted from the inbox. As virus and business interruption activities have increased, the need for preventive cautions has become critical. For example, the preview window should be disabled since viewing e-mail in the preview mode can activate some viruses. All messages and warnings pertaining to virus activities should be regarded with the

**CITY OF ABILENE**

**TELECOMMUNICATIONS**

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**POLICY NO:**

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utmost urgency and vigilance.

Contact the Computer Services Help Desk for further clarification regarding the technical aspects of this policy.

## CITY OF ABILENE

PAGE

POLICY NO:

TERMINATION

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T-2

### POLICY STATEMENT

The City of Abilene is an at-will employer. The employee or the City may terminate the employment relationship at any time for any reason.

### GUIDELINES AND PROCEDURES

#### VOLUNTARY TERMINATION

Notice of Resignation - Employees who leave the City on a voluntary basis are encouraged to notify their supervisor in writing two (2) weeks before the effective date. A letter of resignation should be dated and given to the employee's supervisor. The supervisor will forward the letter of resignation to the **Human Resources Division** with a Personnel Action Form.

Employees who fail to give proper notice will jeopardize their possibilities for rehire.

#### INVOLUNTARY TERMINATION

##### Job Abandonment

Any employee who is absent from work and fails to contact the supervisor for three (3) consecutive work days will be terminated without notice for job abandonment.

##### Dismissal

Although employment continues to be at-will, the City may initiate dismissal as a result of a serious infraction or the continued inability by an employee to comply with the City's policies or performance standards. If an employee is recommended for dismissal, the supervisor must discuss with the Department Director and the Director of Administrative Services before the employee is dismissed and before the Personnel Action Form is submitted.

#### DOCUMENTATION

The supervisor completes a Personnel Action Form to terminate the employee. The justification portion of the form must have the reason for termination, note whether the employee is recommended for rehire, (if not recommended for rehire, documentation explaining reasons must be attached), and state whether all City property has been returned, including any keys that may have been issued to the employee. Terminations are effective the last day of actual work.

FINAL PAY

1. Pay in Lieu of Notice

In some cases, when an employee resigns, it may be in the best interest of the City that the employee leaves the premises upon notice of resignation. In such cases, two weeks pay in lieu of notice may be granted with the approval of the Director of Administrative Services.

2. Final Pay

Employees will receive their final pay through normal processing on the next scheduled pay period along with payment for earned vacation and accumulated sick leave pay (if entitled; see Sick Leave Pay below).

Part-time employees, temporary employees and employees separated before the completion of their probationary period shall be entitled only to wages earned.

SICK LEAVE PAY

Non-civil service employees shall not be eligible to receive pay for accumulated sick leave upon termination, except as provided in the following circumstances.

1. Employees who retire under provisions of the City's retirement program shall receive in a lump-sum payment the full amount of their salary for the period of their accumulated sick leave up to 720 hours.
2. If an employee dies while in City service, the employee's beneficiary -- as listed in the employee's personnel records -- shall receive in a lump-sum payment the full amount of the salary for the period of the employee's accumulated sick leave up to 720 hours.
3. Civil Service employees will be paid for unused accrued sick leave in accordance with state statutes.

HOLIDAY PAY

An employee will only be paid for a holiday if they actually work the day after the holiday or the next normally scheduled work day after the holiday. Therefore, if an employee's last day of employment is on a holiday and they do not work that day, they will not be paid for that day.

VACATION LEAVE PAY

1. Non-civil service employees who separate from the City and have six (6) months of service or longer will receive in a lump-sum payment the full amount of their salary for the period of their accumulated vacation leave, up to 240 hours. Civil service employees must complete twelve (12) months of service or longer to be eligible for vacation leave

VACATION LEAVE PAY - continued

pay upon separation.

2. Employees who retire under the provisions of the City’s retirement program shall receive in a lump-sum payment the full amount of their salary for the period of their accumulated vacation leave, up to 360 hours.

REDUCTION IN FORCE

While the City is committed to employ and retain a staff of highly qualified individuals in order to fulfill the mission, functions and program delivery of the organization, certain conditions may arise which necessitate a reduction in the city workforce. A reduction in force (RIF) is the elimination of a position or dismissal of an employee because of a change in a City program, department reorganization, a budgetary restriction, the expiration of a grant or contract, or in the event of financial or other urgency. A reduction in force may be necessitated due to changes in the organization and/or the availability of funds.

When reductions in force are necessary, the City Manager and the Director of Administrative Services will work with department directors to identify positions for elimination. Decisions on individual employment separations will be made after considering all relevant factors, including but not limited to, the criticality of a position to achieving the overall mission, goals and objectives of the City; the impact of the position on the delivery of public services; employee productivity and performance; employee skills, knowledge and abilities; and length of service with the City.

The City’s EQUAL EMPLOYMENT OPPORTUNITY Policy (E-3) will be followed in making reduction in force decisions. No decision to separate an employee from employment will be made based on race, color, religion, sex, age, national origin, disability, Vietnam Era Veteran status or any other factors identified and protected by federal, state, or local legislation.

The reduction in force section of this policy applies to all regular full time and regular part-time employees at the City, including police officers and fire fighters. However, the provisions of Texas Local Government Code Chapter 143 will apply to police officers and fire fighters, when applicable.

The Director of Administrative Services will develop a Reduction in Force Plan detailing procedures and coordination of out processing of employees when instructed to do so by the City Manager.

Regular employees who are laid off due to a reduction in force and subsequently rehired within six (6) months will have all accrued leave restored that was not paid for at the time of layoff.

**EXIT INTERVIEW AND EXIT PROCEDURES**

Upon termination, all employees are requested to complete an Exit Interview Form. These forms are available in the Human Resources Division and may be completed when the individual picks up his or her final check. The purpose of completing an Exit Interview Form is to obtain opinions from the employee regarding working conditions, supervision, and suggestions to make the City a better employer.

Supervisors are responsible for making appropriate notifications to disable passwords and system access and the collection of all city-owned property, including but not limited to documents, manuals, keys, uniforms, pagers, tools and/or parts and equipment.

**INSURANCE AFTER TERMINATION**

COBRA (continuation of coverage) legislation allows employees to continue group medical coverage after their employment. Employees who are discharged for gross misconduct are not eligible for this benefit.

Employees will be notified by the Human Resources Division either during the exit interview or by certified mail concerning continuation of benefits and the cost of continuing coverage. The premium and form must be signed and returned within sixty (60) days of the last day of employment.

# CITY OF ABILENE

<b>TRAINING</b>	<b>PAGE</b> <b>1 of 1</b>	<b>POLICY NO:</b> <b>T-3</b>
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## **POLICY STATEMENT**

Training opportunities will be provided to all employees on a non-discriminatory basis. However, priorities will be established according to organizational needs.

## **GUIDELINES AND PROCEDURES**

Training programs for City employees will be directed toward skill development, enrichment, and/or performance improvement. Such training is recognized to be in the best interests of the employee and the City.

The Training and Employee Development Manager is responsible for coordinating, developing, and implementing in-house training programs.

## **TRAINING AND DEVELOPMENT LEAVE**

Under certain circumstances, employees wishing to expand their education or work experience by attending special professional or trade development courses, seminars, conferences, etc., may be granted days off with pay. Such leaves are recognized to be in the best interest of the employee and the City. Employee development leave must be initiated with the supervisor and be approved by the Department Director and the Division Manager.

**POLICY STATEMENT**

The goal of travel by city employees is the maintenance and/or improvement of city operations. The nature of such travel includes attendance at professional association meetings, representing the city at various governmental and/or regulatory bodies, participation in professional development educational activities, and involvement with other agencies performing similar tasks. This travel policy is intended to facilitate city staff's ability to meet the goal of service excellence.

**GUIDELINES AND PROCEDURES**

All guidelines assume funds are budgeted.

If a director is out of the city, the city manager's office will be notified regarding the identity of the person in charge of departmental operations during the director's absence.

Employees are reminded that they are traveling on taxpayer dollars and are expected to use reasonable judgment in the selection of transportation and lodging. All requests for reimbursement of expenses are subject to requirements of documentation and reasonableness, and will be honored in conformance with adopted policies and procedures.

Authorization

Prior approval is an integral part of the travel policy. Employees who travel on city business and incur expenses are eligible to receive expense reimbursement subject to the prior approval of the employee's department director. In the absence of the department director, the assistant director or division manager may grant approval. Exceptions are granted in the case of an emergency. If the department director is traveling, the city manager or assistant city manager must grant approval. If the employee is traveling outside the continental United States, reimbursement is subject to the prior approval of the city manager's office.

Registration may be made on a payment voucher without a trip report. The department director must also sign the voucher.

Travel Expense Advances

Employees may request advance travel funds to defray expected costs. The request is submitted on the City of Abilene Travel Expense Report. To ensure time to prepare advance expense checks, travel advances should be submitted at least 10 calendar days prior to departure. Otherwise, the employee may spend their own money and the city will reimburse them. No employee with an outstanding travel advance will be issued another travel advance without approval of the city manager or assistant city manager.

Allowable Expenses

The following points are for information and guidance in determining which expenses are allowable. This listing is intended as a guide and is not necessarily all-inclusive. Discretion remains with the city manager's office to approve travel expenses for unusual circumstances. In order to assure proper fiscal control, the Finance Department will continue to review all travel documents upon return.

- A. Reimbursable expenses include conference registration, meals, transportation (including vehicle costs, cab, parking, and highway tolls) and lodging expenses. Employees must keep receipts for all of the above **except meals** (if on international travel, the employee must keep receipts for meals as well).
- B. For out of city travel, if a city vehicle is available, the employee may request to use it or request a rental car, if appropriate. Reimbursement on the city vehicle is allowed only for gas and any emergency repairs made while traveling. Credit cards for fueling city vehicles may be checked out from Accounting.

If a private automobile is used, reimbursement is allowed on the basis of actual mileage traveled. Mileage on the private vehicle is reimbursed at the maximum non-taxable rate allowed by the Internal Revenue Service at the time the mileage is incurred. The mileage as calculated at the below website will be considered the base with a maximum of 10% variance to be reimbursed unless justification is provided. Mileage is to be based on leaving Abilene and not the employee resident city, if different.

To determine mileage reimbursement, go to this website:

<http://www.window.state.tx.us/comptrol/texastra.html> (This is a one-way trip. Be sure to change the rate to the city's rate and double the amount for a round trip expense.)

For car rentals obtained at the destination, an itemized receipt is necessary for reimbursement. Rental vehicles are to be used as a last resort. Use must be approved in advance by the department director.

- C. Purchase of airfare tickets online is encouraged if the Internet fare is lower than the fare otherwise offered. Employees are to contact their department director's secretary to make the purchase. The secretary will make the charge to the director's city credit card and maintain a log of all charges.

## CITY OF ABILENE

- D. Meal expenses will be reimbursed at the per diem rate of \$40.00 (per diem is the cost of meals, beverage [non-alcoholic], taxes and tips). If departing prior to noon, the per diem rate will be for a full day (\$40.00). If departing after noon, the per diem rate will be for one-half a day (\$20.00).

Out of state travel will be reimbursed at the per diem or at actual expenses with itemized receipts.

Employees will not be reimbursed for meals within the city limits unless such expenses are incurred for attendance at meetings, conferences, or seminars.

For out of state and international travel, the employee will be reimbursed at the per diem or actual receipts.

Meal expenses for guests are not allowed unless authorized by the director and in the best interest of the City of Abilene.

- E. Allowable expenses include:
- Business calls
  - Business-related Internet access
  - Necessary local calls from a hotel room
  - Calls to family members if traveling overnight (30 minute maximum)
  - Employees can call the city's toll free number to contact city offices. That number is **1-866-676-6200** and ask to be transferred to the number you need.
  - Employees with a city cell phone should use it when traveling

Employees are **not** to use hotel long distance. Travel calling cards may be purchased.

- F. When using a city credit card, employees are required to complete the *Use of City Credit Card* form and attach to the trip report.
- G. Fuel charged on city credit cards must contain receipts with vehicle number.
- H. A trip report is required for expenses charged to city credit cards.
- I. Any grant funded travel must follow city as well as grant policy and procedures.

Non-Reimbursable Expenses

- A. Expenses for alcoholic beverages, laundry/dry cleaning, recreational tours, health clubs, and any other form of personal entertainment will not be reimbursed to the employee.
- B. If the employee wishes to extend their business trip into a vacation, the city will not reimburse for additional lodging, airfare, or other expenses incurred.
- C. Expenses for family members, friends, or any other non-business acquaintances will not be reimbursed.
- D. Telephone calls to friends or any other non-family or non-business acquaintance are not reimbursable unless an emergency. Family calls in excess of the amount noted in item E in "allowable expenses" will not be reimbursed.
- E. No overnight expenses shall be allowed for trips less than 60 miles from Abilene unless extenuating circumstances arise. These expenses include lodging and non-business related telephone charges.
- F. The city will not reimburse for any lost or damaged personal items.

Reimbursement

Upon completion of the trip, the employee must complete the Travel Expense Report. The employee's department director must review and approve the report. For department director travel, the city manager or assistant city manager must review and approve the report. The employee must reimburse the city or be reimbursed the difference between the advance and actual trip expenses. These reports must be submitted within 5 working days after the employee returns from the trip. If there are no problems with the report, the city will reimburse the employee within 10 calendar days. Receipts are to be attached to the report and organized by expense type and day. The following documentation should be included with the report:

- A. Hotel or motel bills with itemized charges
- B. Transportation bills (airfare, tolls, parking, etc.)
- C. Bills for automobile expenses for city vehicle such as gasoline, oil, and emergency repairs
- D. Receipts for meals (international travel *or if claiming actual expenses*)

- E. Conference registration forms
- F. Allowable telephone bills on employee's personal cell phone
- G. If using a City of Abilene credit card:
- H. Employee needs to indicate which department/division should be charged and attach a copy of the receipt to the report. The original itemized receipt should be  
  
attached to the check request to pay the credit card's monthly statement prepared by the department director's secretary
- I. Other receipts as necessary

Use of City Credit Card

**Employees using a city credit card are subject to the following policies:**

1. The card may only be used for payments associated with City business, subject to the general policies of the City of Abilene. **Any personal use of the card is prohibited and may result in disciplinary action, up to and including termination of employment.**
2. The card is generally intended for making reservations and deposits for hotel rooms, airfare, rental cars, and other deposits or purchases where a credit card is required.
3. Each use of the card is subject to prior approval of the Director and Division Manager.
4. Reservations and payments with the card will be coordinated with the Executive Secretary to the Director. Individuals other than the Executive Secretary and the Director do not have authorization to charge to the card without express permission by the Director for each individual use.
5. Charges to the card require a receipt for payment by the City. **Failure to provide a receipt may result in the employee being held responsible for all charges.**

I understand that the use of the city credit card is subject to these conditions, including the requirement for receipts for all charges to the card.

I am requesting use of the card for the following purpose:

Estimated Amount: \$ _____
----------------------------

\_\_\_\_\_  
Employee (printed name)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Division Manager Approval

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director Approval

\_\_\_\_\_  
Date

**POLICY STATEMENT**

Regular full-time employees earn paid time off for the purpose of rest and relaxation. Vacation leave is provided for eligible employees based on their length of service.

**GUIDELINES AND PROCEDURES****Accrual & Entitlement**

Accruals are earned in each pay period which includes the 15<sup>th</sup> or the last day of the month. Therefore, accruals occur in twenty-four (24) pay periods annually. Two (2) pay periods each year will not include an accrual.

Employees accrue five (5) hours of vacation leave in each eligible pay period (equivalent to ten [10] hours per month). Fire employees assigned to a 24 hour shift schedule accrue seven and one-half (7.5) hours of vacation leave in each eligible pay period (equivalent to fifteen [15] hours per month).

Non-civil service regular full-time employees who have successfully completed six (6) months of continuous service with the City are eligible to use accrued vacation leave in the pay period following the employee's successful completion of six (6) months of employment.

Civil Service employees who have completed twelve (12) months of continuous service with the City are eligible to use accrued vacation leave in the pay period following the employee's successful completion of twelve (12) months of employment.

Employees who have completed twenty (20) years of continuous service with the City shall accrue vacation leave at a rate of 6.67 hours per pay period (equivalent to 13.34 hours per month). Fire employees who work a 24 hour shift schedule accrue ten (10) hours per pay period (equivalent to twenty [20] hours per month)

Generally, vacation leave shall not be advanced to employees.

**An employee who is on leave without pay for a full pay period will not accrue vacation leave during that pay period.**

**Scheduling**

Employees are encouraged to submit their preferred vacation schedule to their supervisor as far in advance as possible. All vacation leave requests must be approved by the supervisor. Employees may take no more than ten (10) consecutive days vacation at one time without the prior approval of the Division Manager.

Supervisors are responsible for scheduling annual vacation leave for their employees. Whenever possible, vacation leave will be scheduled to the convenience of the employees. However, supervisors have the responsibility to assure that vacations do not interfere with the normal operations.

Accumulated Vacation Leave

Vacation leave shall not be allowed to accumulate in excess of 240 hours in the employee's anniversary month (360 hours for Fire employees assigned to a 24 hour shift). Hours in excess of 240 (or 360 hours for eligible Fire employees) must be taken no later than during the second pay period of the anniversary month. Any hours in excess of the allowable accumulation shall be converted to sick leave.

Donation of Accumulated Vacation Leave for Major or Catastrophic Illness

Under special circumstances, employees may donate accrued vacation leave to other employees to be used for the employee or their immediate family members, limited to their spouse or child/step child living in the same household. Each request will be considered on an individual basis. The guidelines set forth in Policy C-4 Catastrophic Leave apply.

Vacation Leave Eligibility

Employees not on family medical leave who are absent from work due to injury or illness on the day before or the day after a scheduled vacation may be required, at the discretion of the Division Manager, to present a doctor's statement in order to receive sick pay.

If a holiday falls within an employee's vacation leave, the holiday will not be charged as vacation.

Effect of Vacation Pay on Overtime

Vacation leave is not considered time worked during a given week for purposes of computing overtime.

Vacation Leave at Time of Termination

No employee shall be paid for vacation leave if the employee leaves the service of the City before their eligibility to use accrued vacation leave. A non-civil service employee who has completed six (6) months of continuous employment as a regular full-time employee will be paid for all unused vacation leave upon termination. A Civil Service employee who has completed one year of continuous service will be paid for all unused accrued vacation leave upon termination. Employees who retire under provisions of the City's retirement programs shall receive in a lump-sum payment the full amount of their salary for the period of their accumulated vacation leave up to forty-five (45) days if retirement occurs at the end of their anniversary month

Any exceptions to the Vacation Leave Policy require the prior approval of the Director of Administrative Service.

**POLICY STATEMENT**

The City provides Workers' Compensation to protect employees from loss of wages due to time off resulting from illness or injury suffered while on the job.

**GUIDELINES AND PROCEDURES**

Workers' Compensation will cover medical expenses for treatment of on-the-job illness or injuries. In addition, if an employee is temporarily unable to return to work because of this illness or injury, the employee may receive Wage Continuation Benefits for a period of time commensurate with the nature of the injuries received, not to exceed one year. The Wage Continuation Benefit is the difference between the amount provided by the Workers' Compensation Benefit and the employee's regular pay. When an employee is designated to the Wage Continuation Benefit, he or she is no longer eligible for direct deposit for the duration of time he or she is on the Wage Continuation Benefit.

The Wage Continuation Benefit is not a guaranteed benefit and may be discontinued at any time the Director of Administrative Services and Department Director determine it is necessary. In any event, when an employee has been receiving the Wage Continuation Benefit for a period of six (6) months, benefit continuation will be closely evaluated.

Information concerning specific aspects of the Workers' Compensation Benefit is available from the Risk Management Division.

**POLICY STATEMENT**

Regular full-time City employees, with the exception of those in the Fire Department and some in the Police Department, have a regular work week of forty (40) hours. Work hours for Fire Department and Police Department employees are set by the Chief with the approval of the Director of Administrative Services.

**GUIDELINES AND PROCEDURES**

Normal work hours in the various work units shall be set by the supervisor, with the approval of the Department Director. Consideration should be given to shift requirements, seasonal conditions, special service needs, and other activities necessary to provide a continuity of public service. Occasionally, it may become necessary to deviate from the normal work hours due to changing requirements. It is the responsibility of supervisors to prescribe work hours in such cases. Department Directors may decide if flex hours are appropriate for their department.

Work Week

The calendar work week begins on Tuesday at 12:01 a.m. and continues through midnight Monday.

Meal Periods and Relief Periods

Lunch breaks shall be determined by Division Managers and supervisors with the approval of the Department Directors. Generally a one-hour lunch break shall be provided to all employees; however, work schedules and other job-related functions may necessitate variations in the scheduling of the lunch break. Relief periods, other than the lunch break, may be granted as time permits but should be limited to fifteen (15) minutes, once in the first half of the work shift and once in the second half. Employees should not combine two (2) relief periods into one, nor should they be allowed to combine a relief period with a lunch break. Relief periods shall not be eliminated to permit employees to start or leave early on a regular basis. In addition, relief periods are a privilege and care should be taken to assure that they are not abused.

Relief periods are considered hours worked; lunch breaks are considered hours not worked. Supervisors should not permit nonexempt employees to forego the lunch break or continue working while having lunch. Lunch breaks may not be eliminated or shortened so that employees can regularly start late or leave early.

**POLICY STATEMENT**

The City of Abilene has a "zero" tolerance policy with respect to workplace violence. The City will not tolerate the threat of violence by any of its employees, customers, the general public, and/or anyone who conducts business with the City. It is the intent of the City to provide a workplace free from intimidation, threats, or violent acts of any nature.

It is a violation of this policy to engage in any act of workplace violence. An employee who has been determined to be in violation of this policy will be subject to immediate termination, and depending upon the act, may be subject to criminal sanctions.

**GUIDELINES AND PROCEDURES**

Definition

Workplace violence includes, but is not limited to: verbal abuse, harassment, threats, physical attack, or property damage. A threat is the expression of an intent to cause physical or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat and regardless of whether the threat is contingent, conditional, or future. Physical attack is unwanted or hostile physical contact with another person such as hitting, fighting, pushing, shoving, or throwing objects. Property damage is intentional damage to property which includes property owned by the City, employees, or others.

Prevention of Workplace Violence

The City subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to: informing employees of this policy, instructing employees regarding the dangers of workplace violence, and providing a reporting process within which to report incidents or threats without fear of reprisal.

Reporting Procedure

Each incident of violent behavior, whether the incident is committed by another employee or an external individual such as a customer, vendor, or citizen, must be reported immediately by the employee to their supervisor and to the Human Resources Division. **The Director of Administrative Services must be notified of any and all incidents of workplace violence.** In addition, all employees are responsible for reporting any threats which they have witnessed, received, or have been informed of any threats that another person has witnessed or received.

Retaliating or discriminating against an employee who brings workplace violence charges, or assists in investigations of charges, is prohibited.

In critical incidents in which serious threat or injury occurs, emergency responders such as Police, Fire, and/or Ambulance services must be immediately notified. As necessitated by the seriousness of the incident, the Director of Administrative Services may assemble a Crisis

Management Team that may consist of staff from the Executive Team and others as deemed necessary. The Crisis Management Team is responsible for establishing the protocol in the event of a threat or violent incident that may include, but is not limited to:

- evaluating potential violent problems
- assessing an employee's fitness for duty (through mental health professionals)
- selecting intervention techniques
- coordinating efforts with affected parties such as victims, families, employees, media or law enforcement personnel
- referring victims to appropriate assistance and community service programs
- assuring that immediate and on-going counseling is available to traumatized individuals
- debriefing personnel after any serious incident or workplace violence

#### Management Responsibility

It is the responsibility of each Department Director, Division Manager, and supervisor to inform their employees of this policy, including making a strong statement of "zero tolerance" in regard to any threats of workplace violence. All employees of the City are responsible for cooperating with any reviews, investigations, and other activities initiated within the framework of this policy. To achieve ultimate effectiveness in the application of this policy, the cooperation, support, and commitment of every employee is essential.

#### Department/Division Security Audit

On an annual basis or whenever the physical layout of the work space is significantly altered, the Department Director, upon their own discretion, may request a security audit from the Police Department or assistance from Risk Management to determine whether any security measures, such as panic alarms, reorganization of the work area layout, etc., are necessary and effective.

#### Employee Training

Workplace violence training sessions, seminars, workshops, briefings, or meetings will need the full support of each Department and Division.

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