Personnel Handbook of Policies

CITY OF DEL RIO
HUMAN RESOURCES DEPARTMENT

This handbook of policies originally became effective in October 1998, and through the years has been revised a few times. This version approved on February 9, 2021, is a renaming and review of the entire document. Therefore, this handbook supersedes any and all previous personnel or employment policies approved by City Council resolution or ordinance, or by City Administration.

Any amendment to this document or parts thereof, is effective upon approval. By accepting employment, it is deemed that employees understand and agree to these policies, accepting employment, it is deemed that employees understand and agree to these policies, rules, and procedures.

Upon approval by the City Council of this Policy Handbook, it shall supersede all previous resolutions, ordinances or processes adopted or in place.

If already employed at the time this handbook is adopted or later amended, then continued employment indicates acceptance of the policies and rules herein. Resources

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DEFINITIONS

The following words and phrases, when used in this handbook shall have the meaning described below, unless defined differently in a specific policy. All other words and phrases shall be given their ordinary and customary meaning.

Absence or Absent – Not present during scheduled working hours (including scheduled overtime).

Anniversary Date - The day an employee is selected or placed into a position (new hire, promotion, demotion, etc.)

Applicant - Any person who properly completes and signs a City of Del Rio application and submits the application to the Human Resources offices for a currently advertised vacancy before the job closes or is filled.

City Council – the elected City of Del Rio municipal body having legislative and administrative powers, such as passing ordinances and appropriating funds.

City Manager - the appointed official who directs the administration of the City of Del Rio.

Civil Service Employee – Fire or Police Officers only; support staff is excluded.

Full-time – Employees regularly scheduled to work 40 hours or more per week.

Human Resources (HR) – the City of Del Rio department that deals with the hiring, administration, and training of personnel.

Late or Lateness – Refer to Same as 'tardy': When a non-exempt employee arrives to, or departs from, work more than 15 minutes of the appointed hour, or as set by the department or division policy.

Nepotism –Hiring and / or supervising relatives as prohibited by state law or as more specifically prohibited in this policy.

Non-Civil Service Employee - Any employee who is not a firefighter or police officer.

Regular Employee – Employees who have completed the probationary or orientation period.

Tardy or Tardiness – When a non-exempt employee arrives to, or departs from, work more than 15 minutes of the appointed hour, or as set by the department or division policy.

Workplace – Any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations, alternate work locations, and travel to and from work assignments on behalf of the City of Del Rio.

POLICY 10 – INTRODUCTION

A. Policy Statement

The City of Del Rio is committed to providing the highest levels of customer service. To achieve this, a positive and healthy work environment is necessary. A positive work environment will: attract good people into municipal service; provide equal opportunities; promote high morale among the workforce; promote efficient services; enhance the City's responsiveness to the public; and, foster excellence in all aspects of public service. Only the highest levels of professionalism on the part of all city employees must characterize the workplace. All city employees, at any level, should clearly understand what is expected of them and what they may expect from their employer as well. The policies and procedures in this manual are intended as guidelines for all city employees to follow for the achievement of the City's goals.

B. Authority

The City Council has the authority to promulgate laws that govern civic activity. Referred to as ordinances, city laws are put into effect by the City Council. Once effectuated, city ordinances have the force of law. There are a numerous variety of ordinances governing the many aspects of civic life, including, for example, ordinances that impose standards on how structures within the City must be built; water charges are established by ordinance; and, other ordinances govern how our city streets are built and how traffic is directed. This Policy and Procedures Manual is itself a proposed ordinance which will be put into full force and effect as law once adopted by the City Council. The importance of this document cannot be overstated and should serve as a constant reference to all City Employees.

C. Purpose

These policies are designed to bring to the City of Del Rio a high degree of understanding, cooperation and efficiency through consistent, uniform application of personnel practices. This handbook manual contains general information concerning expectations and requirements of all City employees.

D. Statement of Non-Contract

The City Council's adoption of this Policy and Procedures Manual renders its provisions mandatory as to all City employees. This manual, however, is not a contract of employment. City employment is undertaken without a contract. All City employees are at will. Any employee may be terminated at any time by either the employer or employee without cause. The City of Del Rio will recognize no exceptions to its at will work policy unless an exception is specified in writing and signed by the City Manager. This manual supersedes all prior policies and practices and may not be amended or added to without the recommendation of the City Manager and the approval of the City Council.

E. Applicability of State and Federal Statutes

The policies contained in this Manual are subject to state and federal law. Where any provision(s) in this manual conflict(s) with state or federal laws, the latter shall govern. When necessary to comply with changes in state or federal laws, the City Manager will issue additions, deletions, or changes to this Manual as necessary. The City of Del Rio reserves the right to revise, supplement or rescind any policy, section(s), or portion(s), in whole or in part, of this manual at any time.

F. Applicability of State and Federal Statutes

The policies contained in this handbook manual apply to all employees of the City of Del Rio, but they shall not apply if they are contrary to or in conflict with laws, statutes, or regulations of the State of Texas or of the United States. Many State and Federal laws may apply to you, governing things such as your civil rights, overtime pay, and safety. The City is required in some cases to inform you of these other laws.

G. Manner of Adoption

The handbook manual, subject to applicable Federal, State, and Local laws, supersedes all existing policies and practices and may not be amended or added to without the recommendation of the City Manager and the approval of the City Council.

H. Policy Revisions

1. The City of Del Rio reserves the right to revise, supplement or rescind any policies, sections, or portions, in whole or in part, of this manual at any time.

2. Should the City Council approve any such changes, you will be notified and given revised policy changes, which are to be placed where indicated in the manual, or as attachments to the manual. The employee will be advised where the update policy is available for review. Typically, this will be the City's website, but may include other means of distribution.

3. When an employee is hired, he/she is scheduled to attend an orientation session conducted by the Human Resources Department. During this time, you will be asked to sign the acknowledgment page attached to this policy as proof that the City has informed you of the rights and responsibilities that go along with the policies. The signed copy will be maintained in your personnel file. It is your responsibility to read these policies and to inform Human Resources if any of the pages or sections is missing from this manual.

4. The City Manager may attach to this manual any additional policy statements as he/she may deem necessary, or as required by local, State, or Federal law. Such statements are incorporated herein for all purposes.

POLICY 20 – CITY MANAGER AUTHORITY

A. Authority and Responsibilities

The City Manager is the administrative head of the City and is responsible for the appointment and discipline of city employees. The City Manager is charged with the enforcement of personnel policies, and the management of personnel as set forth in this manual and in Section 20 of the City Charter.

B. Department Heads -Appointment, Authority and Responsibility

Appointed by the City Manager and approved by the City council, Department Heads oversee their respective departments and are responsible for all the activity thereof. Generally, a Department Head schedules and prioritizes work efforts within their department; assigns individual employees to tasks; fills vacancies; devises and implements training programs; and, executes official documents corresponding to their departments.

POLICY 30 – RECRUITMENT AND SELECTION OF EMPLOYEES

A. Selection

1. The City recognizes the importance of establishing fair and efficient hiring procedures designed to select the most qualified candidates to fill positions in the City's workforce.

B. Classification Plan

1. To determine the pay range for a city job, the City of Del Rio uses an Employee Classification Plan that groups jobs according to *similarity* in terms of required skills; levels of responsibility; and, educational requirements. City jobs will be classified according to the group they belong to and will receive the same of rate of pay.

C. Job Descriptions

1. Job Descriptions are on file in the Human Resources Department. Job Descriptions allow applicants and employees to understand the general duties and responsibilities associated with each position. Job Descriptions are updated on a constant basis by our Human Resources Department depending on the type of work, location, conditions, legalities, skill requirements, etc. Job Descriptions are on file in the Human Resources Department.

2. Job descriptions are always available for employee review. Please note that employee position at time of hire may have a job description that differs from the current job description for the same position.

POLICY 40 – EMPLOYMENT OF RELATIVES (NEPOTISM)

A. Under Texas law, "Nepotism" is the practice among those in power or influence of favoring relatives by giving them jobs. Government entities are prohibited from hiring relatives of a public official within a certain degree of relationship by either consanguinity (blood) or affinity (marriage). Please refer to the chart at the end of this section to determine the degrees of relationship as they pertain to nepotism laws. Note that the rules stated in this section also provide prohibitions against persons living in the same dwelling space (cohabitants), regardless of relationship. The Nepotism Rules follow and are applicable to all City employees.

   1. Supervision - No City employee shall be regularly supervised directly by a relative, cohabitant or roommate. City employees will not be transferred or promoted into positions that would cause them to be in a direct or indirect supervisor/subordinate relationship with a relative or cohabitant.

   2. Applicants - All external applicants for employment must, at the time of application and hire, disclose the name(s) of any Relative(s) or Cohabitant(s) serving as elected City officials or currently working for the City in any capacity. Nondisclosure of this information by an applicant shall be deemed as falsification of his/ her application and shall result in non-consideration for a position or termination if the person has already been placed on the payroll.

   3. Employees - When a relationship is created that is prohibited by this policy, the employee(s) is/are in violation of this policy. The affected employee must inform his/her Department Head of the relationship that violates this policy within five business days of the creation of the prohibited relationship. Failure to disclose this policy violation to the affected Department Head shall result in disciplinary action, up to and including, termination.

B. Promotions/Transfers - All employees who are being considered for promotion or transfer to another position (whether in the same department or to a position in another department) must, at the time of the application for promotion or transfer, disclose the name(s) of any Relative(s) or Cohabitant(s) serving as elected City officials or currently working for the City that may be subject to this policy. Non-disclosure may result in disciplinary action, up to and including, termination with or without progressive disciplinary action.

C. Conflict of Interest - Relatives, or Cohabitants shall not be placed in positions allowing for financial signature approval of any purchasing or payroll transactions for one another. In the case where business demands require indirect or temporary supervision of Relatives or Cohabitants, the Department Head of the employee(s) is responsible for establishing a process of auxiliary review for the affected employee(s) to include review and signature authority over timesheets, purchase orders and any other action where a conflict could arise from the reporting relationship of relatives, cohabitants or roommates.

D. Recommendation for Hiring - Any city employee asked to participate in a hiring panel, applicant review, or any other formal recommendation must disclose any applicable Relative or Cohabitant relationship and shall not participate.

   As prohibited by Texas Government Code 573, a public official may not appoint, confirm, or a vote for the appointment or confirmation of an individual to a position that is to be

directly or indirectly compensated from public funds or fees of office if the individual is related to the public official within the third degree by consanguinity or within the second degree by affinity; or the public official holds the appointment or confirmation authority as a member of a local board and the individual is related to another member of that board within the third degree by consanguinity or within the second degree by affinity.

This prohibition does not apply to an appointment, confirmation of an appointment, or vote for an appointment or confirmation of an appointment of an individual to a position if the individual is employed in the position immediately before the election or appointment of the public official to whom the individual is related in a prohibited degree; and that prior employment was for at least 30 days if the public official is appointed; or six months if the public official of the City is elected.

E. Disciplinary Actions - Employees may not participate in any disciplinary decisions or appeals involving his/her Relative or Cohabitant.

F. New Relationships Procedures

1. Employees Who Become Relatives or Cohabitants
When a relationship is created which is not allowed by this policy. The affected employees shall both disclose their potential violation of this policy to the applicable Department Director in writing. The Department Director shall notify Human Resources of the potential policy violation in writing. In the case of a relationship created by the election or appointment of a public official, this process shall not apply if the Continuous Employment provisions of Texas Government Code 573.062 allow for the employment to continue.

   a. If Human Resources determines there is a policy violation, Human Resources will notify the affected employee(s) of the policy violation in writing, with a copy of this policy and the applicable deadlines.

   b. Upon receipt of notification of the policy violation, the affected employees shall be given (10) ten working days from the date of the policy violation occurrence to decide as to which affected employee shall vacate his/her position.

   c. If the employees do not provide written notification, signed by both employees, as to whom should vacate his/her position within the fifteen (10) ten working day notification period, the Department Director(s) shall notify the employee who has the least seniority with the City, based upon the most recent hire date, that he/she must vacate his/her position.

   d. If both have the same time of service, both employees shall be subject to discipline up to and including termination.

2. Special Considerations
   a. Department Heads shall not appoint or recommend the appointment of relatives within the second degree of affinity, or the third degree of consanguinity to positions within their departments. No City employee shall exercise supervision over a relative within the degrees stated.

TABLE 1
CONSANGUINITY - Blood Relationships and Adoptive Relationships

First Degree	Second Degree	Third Degree
Mother	Grandparent	Great Grandparent
Father	Grandchildren	Grandparent
Daughter	Brother/Sister	Grandchildren
Son		Aunt/Uncle (sibling of parent)
		Nephew/Niece (child of sibling)
		Granddaughter

TABLE 2
AFFINITY - Marriage Relationship

First Degree	Second Degree
Wife	In law (married to sibling)
Husband	Spouse's Grandparent
Son in law	Step grandchild
Daughter in law	Stepsister
Mother in law	Stepbrother
Father in law	
Stepmother	
Stepfather	
Stepson	
Stepdaughter	

PLEASE REFER TO THE FLOW CHARTS, APPENDICES ___ & __ FOR EASY REFERENCE.

POLICY 50 – EQUAL EMPLOYMENT OPPORTUNITY (EEO) & THE AMERICANS WITH DISABILITIES ACT (ADA)

A. Policy

1. Statement - In accordance with the City Charter for the City of Del Rio, Texas, it is the policy of the City of Del Rio to provide equality of rights as stipulated under state and federal law. The City shall not deny or abridge any individual's rights with respect to the appointment to, or removal from, any position. The City is committed to the principals of the entire body of Equal Employment Opportunity (EEO), Americans with Disabilities Act (ADA), and the Americans with Disabilities Act Amendments Act (ADAAA) laws.

2. Scope - All applicants and employees of the City of Del Rio who fall within a protected class (race, color, religion, sex (including pregnancy)), age, national origin (including citizenship), veteran status, disability, and genetic information as designated by all relevant laws and regulations, and otherwise qualified for the position. This policy shall apply to all employment actions including, but not limited to the recruitment, selection, appointment, rate of pay, testing, hiring, training opportunities, promotion, demotion, transfer, layoff, discipline, termination, salary and benefits.

   All employment decisions shall be made based on individual qualifications, bona fide occupational qualifications for the job in question, and the feasibility of any necessary job accommodations.

3. Responsibility - City of Del Rio Department Heads, Directors, Managers and supervisory personnel are responsible for implementing this policy within their areas of responsibility.
   a. Any member of City management and supervisory personnel who receive a report involving potential discrimination is responsible for recording adequate information for conducting an inquiry and making immediate contact with the City's Human Resources Director or designee.

4. Retaliation - It is a violation of this policy to retaliate or engage of any form of reprisal because a person has raised a concern, filed a complaint of, or been a witness to discrimination. Acts of retaliation and refusal to participate in an investigation of discrimination are subject of appropriate corrective action, up to and including termination. However, if the City determines that an individual intentionally provided false information regarding a complaint and/or refused to participate in an investigation, corrective action, up to, and including termination, may be taken against the person who gave the false information.

   Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.

POLICY 60 – PERSONNEL RECORDS, PRIVACY, AND DISCLOSURE

A. Policy Confidentiality

1. City employees are not to disclose any confidential information concerning the property, operations, policies, legal matters, medical information, or affairs of the City. City employees are to ensure that such confidential information is not used to advance the employee's or other's personal interest. All employees are expected to comply with this policy and confidential agreements maintained within each department.

2. Employee may not accept employment or engage in business or professional activities which the employee could reasonably expect would require or induce the disclosure of confidential information acquired by reason of one's official position. Access, disclosure, and use of Protected Health Information (PHI) **shall** be based on the role of the individual staff member in the organization, **and only on an as needed basis.**

3. The Director of Human Resources, or designee is the City's Privacy Officer. The Privacy Officer shall oversee the implementation of the City's PHI policy. The Privacy Officer is available to city employees for consultation and discussion of any issues or concerns a City employee may have about PHI.

4. An employee has the right to file a complaint with the City of Del Rio Privacy Officer or to the Secretary of the U.S. Department of Health and Human Services for concerns regarding PHI, online at; https://www.hhs.gov/about/agencies/iea/regional-offices/region-6/index.html or by calling 800-368-1019.

B. City Employee Personnel Files

The official employee records for the City of Del Rio will be secured and maintained in the Human Resources Department and under the care of the Human Resources Director.

C. HIPPA Regulated Records

The Risk Manager is responsible for creating, maintaining, using, and ensuring the confidentiality and/or proper disclosure of protected health information in accordance with the Health Insurance Portability and Accountability Act (HIPPA). The City of Del Rio's Risk Manager serves as the designated Privacy Officer and is responsible for overseeing compliance regarding such PHI records.

D. Personal Data, Right to Privacy

1. Change of data - Every employee must promptly notify the Human Resources office of any changes in personal data, personal mailing address, telephone number, marital status, number of dependents, and individuals to be contacted in the event of an emergency and should be accurate and current at all times. Employees should report such changes to the Human Resources Office within 10 working days of the effective date of the change.

   Employees should report any work-related course work or professional training completed, and provide copies of any diplomas or certificates received, for inclusion in the employee's Personnel file.

2. Disclosure of Personal Data - Upon being hired, all employees are required to provide their home address, phone numbers, and other personal information that may be required. In accordance with the Texas Public Information Act (TPIA), employees may request that personal information be withheld from the public. The request must be in writing. The employee's supervisor, however, may be permitted such information according to the requirements of the job or in case of emergencies.

3. Disclosure of Information - The City of Del Rio, as a public, governmental entity, is subject to the Public Information Act (PIA). The PIA provides a mechanism for citizens to inspect or copy government records. It also provides that governmental bodies may withhold government records from the public in specific instances. The PIA generally requires a governmental body to release information in response to a request for information. If a governmental body determines, however, that the requested information is excepted from disclosure under the PIA, then both the request and information at issue must be reviewed by the Open Records Division of the Office of the Attorney General who then issues a decision on whether the requested information may be withheld or must be released. Should you receive any request for information from a citizen, contact management immediately.

POLICY 70 - PROTECTED HEALTH INFORMATION (PHI): Access, Security, and Disclosure

A. Policy - The City of Del Rio retains strict requirements on the security, access, disclosure and use of Protected Health Information (PHI). Access, disclosure and use of PHI will be based on the role of the individual staff member in the organization and should be only to the extent that the person needs access to PHI to complete the necessary job functions. Employees shall make every effort, except in patient care situations, to access, disclose and use only the minimum amount of PHI necessary to accomplish the intended purpose.

B. Privacy Officer - The City has appointed a Privacy Officer to over see the City policies and procedures on employee medical privacy and to monitor compliance. The Privacy Officer is also available to you for consultation on any issues or concerns you have about protected health information. You should feel free to contact the Privacy Officer at any time with your questions or concerns.

The Privacy Officer for the City of Del Rio is the Human Resources Director.

C. Complaint Process - You have the right to file a complaint with the City of Del Rio Complaint Officer or to the Secretary of the U.S. Department of Health and Human Services if you believe your privacy rights have been violated at the following website.

https://www.hhs.gov/about/agencies/iea/regional-offices/region-6/index.html or call 800-368-1019.

The Complaint Officer for the City of Del Rio is the Human Resources Director.

The City will not retaliate against any employee who expresses a concern or complaint about any policy or practice related to the safeguarding of medical information and the City's legal obligation to protect employee privacy.

POLICY 80 - CONFIDENTIALITY OF MEDICAL INFORMATION – Health Insurance Portability & Accountability Act (HIPPA)

A. The federal Health Insurance Portability and Accountability law (HIPPA), and the Texas Medical Records Privacy Act (TMRPA) serve to protect your personal health information (PHI). HIPPA rules apply to what the law refers to as "covered entities." Covered entities include most health care providers, including doctors, clinics, hospitals, nursing homes, and pharmacies. Local governments are involved in HIPPA as health care providers or as sponsors of group health care plans. The City of Del Rio, to the extent required by law, protects, in a confidential manner, all medical records it receives about City employees including the electronic or computer transmission or receipt of employee medical records. For any questions or concerns regarding HIPPA and its requirements, please contact the City of Del Rio's Risk Manager.

POLICY 90 - WORKPLACE LACTATION ACCOMODATIONS

A. Purpose and Scope - To establish guidelines for promoting a breastfeeding-friendly work environment.

B. Policy - Departments and Divisions are responsible for maintaining compliance with Texas State legislation (HB 786) regarding the expression of breast milk in the workplace.

1. Departments and Divisions must provide a reasonable amount of break time for an employee to express breast milk each time the employee has need to express milk. If possible, the lactation time is to run concurrently with any break time that may already be provided.

2. The department will provide a clean private room (not a toilet stall or public restroom) or other location, near the work area, where an employee can express her milk in privacy. The room should be either lockable or have away to indicate that others may not enter, and have a chair and accessible electrical outlet and, if possible, a small table. When possible, it would be optimal to have a clean water source for washing hands and rinsing out any nursing equipment available in or near the private room, such as a restroom or break room with a sink. It is the employee's responsibility to keep the location clean after each use and remove any personal items.

3. Breastfeeding women, when using a common refrigerator, will provide their own containers.

4. The City will accommodate the breastfeeding-related needs of employees for a period of up to one (1) year from the birth of the child.

POLICY 100 - ALCOHOL AND DRUG USE/TESTING

The city of Del Rio (the "City") recognizes that the use of unprescribed drugs and/or alcohol while on duty for the City is incompatible with a safe and secure workplace. The use of unprescribed drugs and/or alcohol at the workplace is, therefore, strictly forbidden.[1]

The Drug Free Workplace Act is very specific about which substances are covered. Employees can obtain a copy of this Act in the Human Resources Department and a detailed list of specific controlled substances and its effects on users.

All "street" drugs are controlled substances; these drugs include but are not limited to all cannabis substances such as marijuana and hashish, cocaine, heroin, phencyclidine (PCP), and so-called designer drugs and look-alike drugs.

Some controlled substances may be prescription drugs that can be used legally under the direction of a physician; however, the use of prescription drugs without a prescription is illegal and a violation of the Act.

As a condition of continued employment, the Drug Free Workplace Act mandates employees to report any convictions of drug usage on City premises or whileconducting City business within five (5) business days of the conviction of drug use.

The following definitions apply to Policy 100:

"Company premises" includes all buildings, offices, facilities, grounds, parking lots, lockers, places, and vehicles owned, leased, or managed by the City of Del Rio or any site on which the company is conducting business.

"Illegal drug" means a substance whose use or possession is controlled by state and/or federal law but that is not being used or possessed under the supervision of a licensed health care professional. (Controlled substances are listed in Schedules I-V of 21 C.F.R. Part 1308.)

"Refuse to cooperate" means to obstruct the collection or testing process; to submit an altered, adulterated or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or to fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and will automatically be subject to discharge.

"Under the influence of alcohol" means an alcohol concentration equal to or greater than .04, or actions, appearance, speech, or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.

"Under the influence of drugs" means a confirmed positive test result for illegal drug use per this policy. In addition, it means the misuse of legal drugs (prescription and possibly OTC) when there is no valid prescription from a physician for the lawful use of a drug in the course of medical

[1] Policy 100 – ALCOHOL AND DRUG USE / TESTING does not apply to employees in the City's Gas Department, including employees who read gas meters, that are covered by the anti-drug policy passed and approved the Del Rio City Council on August 14, 1990; Ordinance No. O:90-30, and employees in the City's Transportation Department.

treatment. Containers must include the patient's name, the name of the substance, quantity/amount to be taken and the period of authorization.

Procedures:

A. To promote a drug and alcohol-free work environment, the following procedures are immediately implemented and subject to enforcement. This policy applies to all employees and pre-employment finalists who are not otherwise subject to the drug and alcohol testing regulations of the U.S. Department of Transportation (DOT):

   a. Whenever employees are working; are operating any City vehicle; are present on City premises; or are conducting City-related work offsite, they are prohibited from:

      i. Using, possessing, buying, selling, manufacturing, or dispensing an illegal drug (to include possession of drug paraphernalia).
      ii. Being under the influence of alcohol or an illegal drug as defined in this policy.
      iii. Possessing or consuming alcohol.

   b. The presence of any detectable amount of any illegal drug, illegal controlled substance, or alcohol in an employee's body system, while performing City business or while in a City facility, is prohibited.

   c. The City of Del Rio will also not allow employees to perform their duties while taking prescribed drugs that are adversely affecting their ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry the medication in a container labeled by a licensed pharmacist or be prepared to produce the container if asked.

   d. Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

   e. The City may perform testing of an employee for drug or alcohol use, upon return to work following probation, suspension, layoff, or extended leave of absence or any other time in order to comply with State or Federal regulations.

Alcohol and Drug Testing

A. While at work, each City employee has a responsibility to the public to deliver services in a safe, efficient, and conscientious manner. In order to perform a job in the safest manner possible, City employees must be able to work in a drug free environment and themselves be free from the effects of alcohol and other job impairing substances while on the job. Accordingly, while on the job or in a City vehicle, the use, sale, distribution, possession, or being under the influence of an intoxicating liquor, controlled substance, drug not medically authorized, or any other substance that impairs job performance or poses a hazard to the safety and welfare of the employee, the public, or other employees, is strictly prohibited and may result in suspension or termination.

B. Furthermore, the City is obligated to comply with the Department of Transportation (DOT) regulations relating to controlled substances and alcohol use. The City will ensure that the controlled substances and alcohol testing conducted conforms to DOT workplace testing requirements.

C. The City's position is that the sale, purchase, transfer, concealment, transportation, use or possession of contraband by any employee of the City represents a threat to the health, safety, security, and well-being of its employees, citizens, and property, as well as the traveling public, and therefore strictly prohibited.

D. This policy applies to ALL CITY EMPLOYEES including fulltime, part time, and temporary seasonal.

Required Testing:

A. ***Pre-employment***. As a condition of employment, all applicants will be subject to drug and alcohol testing. If evidence of the use of illegal drugs by an applicant is discovered either through testing or other means, the employment process will be terminated. If an applicant refuses to take either the drug test or the alcohol test, the employment process will be terminated. If a conditional applicant attempts to substitute or contaminate their drug screen specimen or attempts to subvert the breath alcohol test procedure, the employment process will be terminated. Employment consideration with the City will be denied for one year unless specifically authorized otherwise by the City Manager.

B. ***Reasonable Suspicion:*** An employee's consent to submit to drug and/or alcohol testing is required as a condition of employment and the employee's refusal to consent may result indisciplinary action up to and including termination, even for a first refusal or any subsequent refusal.

The City will require an employee to be tested upon reasonable suspicion. The decision to test will be based on a reasonable and indisputable belief that the employee is using a prohibited drug or alcohol based on specific contemporaneous physical, behavioral, or performance indicators of probable drug or alcohol use.

An employee will submit to testing for reasonable suspicion when requested to do so by the City.

Employees are subject to testing based on (but not limited to) observations by at least two members of management of apparent workplace use, possession, or impairment. The Department of Human Resources should be consulted before sending an employee for testing. Management must use the Reasonable Suspicion Observation Checklist to document specific observations and behaviors that create a reasonable suspicion that an employee is under the influence of illegal drugs or alcohol.

When a reasonable suspicion exists that an employee is suspected of being impaired or under the influence of drugs or alcohol, they will be required to undergo a controlled substance and/or alcohol test at the City's expense. The exam shall consist of a urine and/or breath and/or blood test and may include a physical examination by a physician.

Reasonable suspicion shall include, but not be limited to, the following:

- Vehicle accidents in which the employee was involved during working hours, or while conducting City business.
- Abuse of any City property.
- Personal injury suffered by the employee, injuries caused to others, damage to other's property.
- Employee behavior problems such as fighting, declining work performance, argumentative, uncooperative, or other disruptive behavior.
- Receipt of written or oral statements by employees or others concerning use of drugs or alcohol by employees or being under the influence.
- Possession of any drug or alcoholic beverage, any drug or alcoholic beverage container, or any drug paraphernalia during working hours, in a City vehicle or on City property.
- Indications of possession, impairment or intoxication that include, but are not limited to, the following:
  1. Slurred speech, to include slow, distracted mid-thought, inability to verbalize

thoughts.
2. Disorientation
3. Job impairment, or inability to perform employee's job in a routine manner.
4. Odor of alcohol or smell of alcohol, body odor or urine.
5. Odor of other substances.
6. Unsteady gait or balance, or movements are unsteady, fidgety, or dizzy.
7. Glassy eyes, or dilated, constricted, or watery eyes, or involuntary eye movements.
8. Drowsiness, yawning, or twitching.
9. Euphoria
10. Inattentiveness, argumentative, agitated, or irritable.
11. Mood Swings
12. Excitement or confusion
13. Irritability
14. Aggressiveness
15. Other erratic behavior, sleeping, unconscious, or no reaction to questions.

The City will ensure that the employee is transported immediately to a collection site for the collection of a urine sample and alcohol test. The documentation of the employee's conduct under reasonable suspicion will be signed and prepared by the witness within 24-hours of the observed behavior or before the results of the tests are released, whichever is earlier.

Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of management must transport the employee or arrange for a taxi and arrange for the employee to be transported home.

The employee will be required to show positive picture identification at the testing facility. Consequently, employees are required to carry their City identification card and/or their valid driver's license with them while at work.

The employee who is tested as the result of involvement in a reasonable suspicion situation may be suspended without pay pending completion of any inquiries, which may be required.

With an employee working after 5:00 p.m. and prior to 8:00 a.m., the supervisor shall call the Human Resources staff on-call to obtain a healthcare provider and direct the supervisor to the designated drug test on site.

C. ***Post-Accident:*** Employees are subject to testing when they cause or contribute to accidents that damage a city vehicle, machinery, equipment, or property or that result in an injury to themselves, other persons, or another employee requiring offsite medical attention. A circumstance that constitutes probable belief will be presumed to arise in any instance involving a work-related accident or injury in which an employee who was operating a motorized vehicle is found to be responsible for causing the accident. In any of these instances, the investigation and subsequent alcohol and drug testing must take place within two hours following the accident, if not sooner. Refusal by an employee will be treated as a positive drug test result and will result in immediate termination of employment. Failure of the employee to report any accident will be cause for disciplinary action up to and including termination. Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of management must transport the employee or arrange for a cab and arrange for the employee to be transported home. All employees will be prohibited from operating city motorized

vehicles until such time as testing analysis is reported and the employee cleared in this process.

D. ***Random Drug Testing:***
   a. The City may perform testing of an employee on a periodic basis in conjunction with their Commercial Driver's License (CDL) physical renewals. The minimum annual testing rate for drugs and alcohol is determined each year by the Department of Transportation for CDL drivers.
   b. The City also reserves the right to test an employee at the time that the employee is enrolled in a drug rehabilitation program and at any time during or for a period not to exceed 60 months after rehabilitation in accordance with ADA.
   c. Drug and/or alcohol testing is conducted on an unannounced, random basis before, during or just after performance of any city safety sensitive or security related function and job duties. Individuals will be randomly selected.

Collection and Testing Procedures:

A. Employees subject to alcohol testing will be transported to a designated facility and directed to provide breath specimens. Breath specimens will be tested by trained technicians using federally approved breath alcohol testing devices capable of producing printed results that identify the employee. If an employee's breath alcohol concentration is .04 or more, a second breath specimen will be tested approximately 20 minutes later. The results of the second test will be determinative. Alcohol tests may, however, may be a breath, blood, or saliva test, at the City's discretion. For purposes of this policy, test results generated by law enforcement or medical providers may be considered by the City as work rule violations.

B. Applicants and employees subject to drug testing will be transported to a City-designated testing facility and directed to provide urine specimens. Applicants and employees may provide specimens in private unless they appear to be submitting altered, adulterated, or substitute specimens. Collected specimens will be sent to a federally certified laboratory and tested for evidence of marijuana, cocaine, opiates, amphetamines, PCP, Benzodiazepines, methadone, methaqualone, and propoxyphene use. (Where indicated, specimens may be tested for other illegal drugs.) The laboratory will screen all specimens and confirm all positive screens. There must be a chain of custody from the time specimens are collected through testing and storage.

C. The laboratory will transmit all positive drug test results to a medical review officer (MRO) retained by City, who will offer individuals with positive results a reasonable opportunity to rebut or explain the results. Individuals with positive test results may also ask the MRO to have their split specimen sent to another federally certified laboratory to be tested at the applicant's or employee's own expense. Such requests must be made within 72 hours of notice of test results. If the second facility fails to find any evidence of drug use in the split specimen, the employee or applicant will be treated as passing the test. In no event should a positive test result be communicated to the City until such time that the MRO has confirmed the test to be positive.

Consequences:

A. Conditional applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to reapply/retest consistent with section A in Required Testing. Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture, or dispense an illegal drug in violation of this policy will be terminated. If the employee refuses to be tested, yet the company believes he or she is impaired, under no circumstances will the employee be allowed to drive himself or herself home.

B. Employees who test positive, or otherwise violate this policy, will be subject to discipline, up to and including termination. Depending on the circumstances, the employee's work history/record and any state law requirements, the City may offer an employee who violates

this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies determined by the City for a minimum of one year but not more than two years as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not complete the rehabilitation program or tests positive after completing the rehabilitation program, the employee will be immediately discharged from employment.

C. Employees will be paid for time spent in alcohol or drug testing and then placed on administrative leave with pay pending the results of the drug or alcohol test. After the results of the test are received, a date and time will be scheduled to discuss the results of the test; this meeting will include a member of management, a union representative (if requested), and HR. Should the results prove to be negative, the employee will receive back pay for the times/days of suspension.

Confidentiality: Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided to the MRO will be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant. There may be some instances where overriding public health or safety concerns may require the release of information otherwise considered confidential.

Inspections: The City of Del Rio reserves the right to inspect all portions of its premises for drugs, alcohol, or other contraband; affected employees may have union representation involved in this process. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol, or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including discharge.

Prescription Drugs: The City reserves the right at all times to judge the effect that a legal drug may have upon an employee's work performance and to restrict the employee's work activity or presence at the workplace accordingly. It also reserves the right to have a physician of its own choice determine if a medication at the prescribed dosage produces hazardous effects and may restrict the employee's work activity and provide a list of all prescribed medications to the physician.

Prohibited Activities / Crimes Involving Drugs:

A. The City of Del Rio prohibits all employees, including employees performing work under government contracts, from manufacturing, distributing, dispensing, possessing, or using an illegal drug in or on company premises or while conducting company business. City employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel may be notified, as appropriate, when criminal activity is suspected.

B. The City of Del Rio does not desire to intrude into the private lives of its employees but recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, the City reserves the right to take appropriate disciplinary action for drug use, sale, or distribution while off company premises. All employees who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug are required to report the conviction, plea, or sentence to HR within five days. Failure to comply will result in automatic discharge. Cooperation in complying may result in suspension without pay to allow management to review the nature of the charges and the employee's past record with the City.

C. The use, sale, offer to sell, purchase, transfer, distribution, or possession of drug paraphernalia or any detectable amount of an illegal drug or alcohol by any employee while on City premises or while performing City business is strictly prohibited.

D. No employee shall be allowed to stay on duty if the employee uses any controlled substances or alcohol while on duty or tests positive for the use of controlled substances or alcohol, except in the case of legally prescribed medications.

E. A person who tests positive for the use of controlled substance or alcohol is considered medically unqualified to work.

F. A person who refuses to be tested for any controlled substances or alcohol will not be permitted to work. Such a refusal will be treated as a positive test and cause the employee to be considered medically unqualified to work.

Related Discipline:

Disciplinary action up to and including termination will be applied to any employee who:

- Uses, possesses, distributes, transfers, conceals, sells, offers to sell, purchases, or offers to purchase illegal drugs, drug paraphernalia, or alcohol during the assigned shift, on City premises or while on City business.
- Substitutes, contaminates, tampers, or attempts to substitute, contaminate, or tamper with their specimen to be presented for testing.

Drug Testing Results: Results, which are positive for an illegal drug or controlled substance in a test conducted under the provisions of this policy, will result in termination of employment.

Alcohol Testing Results: While waiting for test results and depending on the results of the tests, employees may be:

1. Taken home under the provisions of this policy and will not be allowed to return to duty for 24-hours after the conclusion of the initial alcohol test.
2. Placed on leave without pay and will not be allowed to perform any work on behalf of the City for the 24-hour period immediately following the alcohol test.
3. Required to submit to unannounced alcohol testing at least six (6) times during the twelve (12) months immediately following the initial test. The employee's supervisor or designee will determine when the unannounced tests will be conducted and will contact the Human Resources Department to initiate the test.

Negative Exam Results: Upon the receipt of a negative drug or alcohol test, the employee will be placed back in their current position.

Record Keeping:

- Information regarding an individual's drug or alcohol test results or rehabilitation may be released only upon the written consent of the individual unless such information must be released regardless of consent to a State or Federal agency upon request as part of an accident investigation. Statistical data related to drug or alcohol testing and rehabilitation that is not name-specific and training records must be made available to appropriate State or Federal agency upon request.

- The City will produce upon demand and will permit authorized representatives of the DOT to examine all records related to the administration and results of the drug testing program.

Employee Assistance Program: The Employee Assistance Program (EAP) is available to all City employees. This program may be utilized to obtain information concerning local resources that are available for the treatment of drug and alcohol related problems. The City reserves the right to implement an Employer Mandatory Referral as a condition of employment due to a positive drug or alcohol test.

Enforcement: The HR director is responsible for policy interpretation, administration, and enforcement.

POLICY 110 - USE OF VEHICLE AND MOTORIZED EQUIPMENT POLICY

A. Purpose and Policy - The purpose of this policy is to establish the rules and procedures governing the assignment, use and reporting requirements of City vehicles including take-home vehicles. This policy will implement federal and state mandated regulations, City policy and procedures. Risk of loss from vehicle accidents involving all City employees will be minimized through driver record screening, hands-on training and education, defensive driving training, and standardized vehicle accident review procedures. This policy is intended to ensure the safety and well-being of City employees; to facilitate the efficient and effective use of City resources; to minimize the City's exposure to liability; to monitor the use of city-owned vehicles; and to comply with Internal Revenue Service regulations relating to City vehicle usage and discussed in the policy #120 in this manual.

1. This policy applies to employees who operate or drive a City vehicle or his/her personal vehicle for City business, receive a monthly car allowance, an applicant for a position that requires operation of a City vehicle or motorized equipment, and an applicant or employee subject to the performance of any driving duties as assigned; and include employees who are a regular full-time, regular part-time, temporary, and seasonal.

2. Employees of the Police and Fire Department shall follow their respective department policies. If a situation arises which is not addressed in Police and Fire departmental policies, this City policy shall apply.

3. In compliance with State laws and City ordinances, every employee operating a City vehicle shall obey all applicable traffic laws.

4. Applicants.
   a. The eligibility requirements stated within this policy pertain to all applicants required to drive a vehicle or equipment as previously stated.
   b. The time frames review for the driving offenses within this policy are the two years preceding the date of application submission.
   c. Applicants will be subject to verification of their driving history upon the acceptance of a conditional offer of employment.

5. Duty to Report - Employees shall self-disclose, without the necessity of an inquiry, any loss or limitation in driver's license status and any and all citations, charges, arrests or convictions for DWI or DUI whether such incidents arose out of work-related driving or not. Employees shall make such self-disclosure to the Department Head or designee and HR department at the earliest opportunity and shall not operate any vehicle on City business until cleared to do so.

6. Penalties - Employees who fail to make such required self-disclosure at the earliest opportunity, or who operate a vehicle on City business prior to making such required self-disclosure, shall be subject to disciplinary action, including termination. For the purposes of this section, "earliest opportunity" means prior to 10:00 a.m., local time, on the first business day following the precipitating incident.

7. Use of Personal Vehicles

a. As per State law, City employees are always expected to carry liability insurance on any personal vehicle. The same applies to instances where the personal vehicle is used to transact City business. Employees will contact his or her insurance carrier to determine the necessity for a "Business Use" rider to their policy. The City will not assume responsibility for any deductible amounts necessitated by claims, and the employee shall bear the responsibility of pursuing claims against either his or her carrier or the other driver in the event of a collision or other loss. If the City employee does not receive full compensation (e.g., an uninsured driver) a claim for the unpaid expense may be filed in the Office of the City Manager to determine if unpaid expenses will be paid by the City. All such claims must be accompanied by full documentation of payments and expenses.

b. Reimbursement for occasional Use - The City of Del Rio will pay employees for using their personal vehicles on City business at the City Finance Department Travel Policy mileage rate, as such may be amended from time to time.

c. Maintenance and Insurance - The City pays for maintenance and insurance costs through the mileage payments. Consequently, the City will **not** pay employees for vehicle repair costs. If an employee's vehicle fails to operate while he or she is out of town on City business, the City will pay reasonable towing costs to the nearest garage but will not pay towing costs within the City of Del Rio.

POLICY 120 – TAKE-HOME CITY VEHICLES

Purpose:

A. A City vehicle may be assigned to a position or employee when it is more economical than payment of a car allowance or mileage reimbursement or as is necessary to protect the public health, safety, and welfare. The purpose of this policy is to establish the rules and procedures governing the assignment and use and reporting requirements of City take-home vehicles. This policy implements federal Internal Revenue Service (IRS) and state-mandated regulations and City policy and procedures. This policy applies to all City of Del Rio employees.

B. The IRS considers the use of a vehicle to commute a fringe benefit and the employee will be taxed on the value of that use. Under the IRS regulations, a value of $3.00 per day for every day the employee is required to commute will be included in that employee's income.

C. Employees that are authorized to take home a city vehicle are explicitly prohibited from using the vehicle for personal reasons.

Eligibility:

A. The employee is the only operator of the vehicle unless public safety needs dictate differently.
B. The employee resides within the City of Del Rio Extra Territorial Jurisdiction (ETJ).
C. The employee is authorized to drive a city vehicle.
D. The employee has not had driving privileges revoked or suspended per Policy 370.
E. Vehicle is to be used to respond to emergencies or as part of 'on-call' responsibilities.
F. The employee does not receive a car allowance; and,
G. Department Head and Division supervisor recommend approval.

Exempt Vehicles:

A. Clearly marked police and fire vehicles
B. Delivery trucks with seating only for the driver, or only for the driver plus a folding jump seat
C. Flatbed trucks
D. Cargo carrier with over a 14,000-pound capacity
E. Bucket trucks or 'cherry pickers'
F. Cranes and derricks
G. Passenger buses with a capacity of a least twenty (20) passengers
H. Forklifts
I. Cement mixers
J. Dump trucks
K. Garbage trucks
L. Specialized utility repair trucks (except vans and pickup trucks)
M. Tractors
N. Employees required by the city manager and their supervisor to use a city vehicle and be available to respond to emergencies after hours and off regular duty time
O. Unmarked law enforcement vehicles operated by an officer, investigator who is a full-time employee and authorized to execute the duties of a duty sworn officer of the city
P. All other vehicles exempted by the IRS under special rulings

IRS Rule on Commuting Valuation:

A. Personal use for commuting can be valued at $1.50 each way if all the following conditions are met:
    a. The vehicle is owned or leased by the employer.
    b. The vehicle is provided to the employee for use in the business.
    c. The employer requires the employee to commute in the vehicle for a bona fide non-compensatory business reason:
    d. The employer has a written policy prohibiting personal use other than commuting.
    e. The employee does not use the vehicle for other than de minimis personal use.
    f. The employee who uses the vehicle is not a control employee (defined below).
B. If more than one employee commutes in the vehicle, the $1.50 each-way rule applies to each employee. Reg. Section 1.61-21(f)

Note: The employer (City) must require the employee to use the vehicle for a business purpose; it cannot be voluntary on the employee's part. For example, a transportation employee, who is on call 24 hours a day to respond to road emergencies, is required by the employer to commute in a vehicle outfitted with communications or other equipment the employee would need if called out at night.

C. Commuting Rule Not Available for Control Employee

    a. Personal use of a vehicle by a "control employee" cannot be valued using the commuting valuation rule ($1.50 rule). A control employee in a governmental organization is an elected official.
    b. Instead of the above definition of control employee, the employer may treat all employees who are "highly compensated" (generally, for 2020, those exceeding $130,000 compensation) as their only control employees. Treas. Reg. Section 1.132-8(f); Notice 2019-59

POLICY 130 – CRIMINAL ACTIVITY AND HISTORY

A. **Purpose and Scope** - To establish standards of safety and minimize the City's liability.

B. **Policy** - Applications for employment, conditional offer of employment, and continued employment are contingent upon receipt and review of the applicant/employee's criminal history record. An applicant may be disqualified, or an employee may be transferred, disciplined, or dismissed, if it is found that the applicant/employee has a criminal history record that is in appropriate for the position. In the interest of public safety and welfare, the City may consider all aspects of criminal history, whether it resulted in a fine, imprisonment, deferred adjudication, probation, community supervision, parole, or other disposition. The following will be considered in determining whether the criminal offense is inappropriate for the position in question.

1. Applicants
   a. If the nature of the offense and/or arrest is aggravated sexual assault, aggravated robbery, kidnapping or false imprisonment, felony involving a child victim, family/domestic violence, manslaughter or murder, the applicant will not be considered for employment.

   b. If not, consideration for employment will depend on:
      - Nature of the offense
      - Number of offenses
      - Amount of time since offense occurred
      - Remoteness of the criminal activity
      - Age when the offense occurred
      - Position applied for (e.g. involves children, handling money, access to private information which may easily be converted into fraudulent use, going into homes and businesses, operating heavy equipment machinery)

2. Employees
   a. Employees must immediately report to their Department Head and supervisor any arrest, charge, or indictment related to on-duty or off-duty events. The Department Head will, in turn, immediately notify the HR Director regarding all instances and reports.

   b. If the nature of an arrest is aggravated sexual assault, aggravated robbery, kidnapping or false imprisonment, felony involving a child victim, felony involving family/domestic violence, manslaughter or murder, or felony involving the use of a deadly weapon, the employee may not be considered for continued employment.

3. For other offenses, the following factors will be considered by HR and the City Attorney in determining whether the criminal offense will impact continued employment.
   (a) Nature of the offense
   (b) Likelihood of guilt
   (c) Pattern of disregard of law
   (d) Ability to come to work
   (e) Current position and duties
   (f) Ability to perform essential duties of the position

4. During the pendency of any charges, the above criteria will be used to determine whether the employee will remain in his/her current position, be transferred, given time off work in a paid or unpaid status, or dismissed. Any employee who fails to immediately report the event under this section may be disciplined up to and including dismissal. The burden to provide proof to change a determination under this policy is placed on the employee.

5. The employee shall keep his/her supervisor informed and updated of the status, where charges or an indictment is pending, court documents, attorney letters, or any legal documents shall be provided to the supervisor as to the final disposition of the charges. The supervisor shall provide the Department Head with information regarding the final disposition of the charges, at which time the Department Head shall provide his/her supervisor with a decision regarding the impact of current employment status.

POLICY 140 – POLITICAL ACTIVITY POLICY

A. Purpose and Scope - To establish standards of employment with the City of Del Rio and protect the City, its employees, and its applicants from potential conflicts of interest. This policy applies to all City employees and applicants.

B. Definitions - Political activity refers to engaging in the support or non-support of a candidate running for elected office (school board, City, county, state, national, etc.) or another issue on a ballot.

C. Policy Statement - It is City policy that any and all political activity, for any type of government or political function or election, by a City employee shall be strictly prohibited while such employee is on duty and/or in uniform.

1. Prohibitions
    a. Employees may not campaign or solicit political contributions during work hours or while in uniform, using public telephones or other equipment, or on City property; carry or display political material in or on publicly owned vehicles; display or distribute political campaign paraphernalia, posters, placards or other promotional materials on City owned or operated premises; use City supplies, equipment or facilities to print, mail, or otherwise produce or distribute campaign materials; or solicit signatures for any initiative, recall or referendum campaign on publicly owned or operated premises.

    b. There are no restrictions on the right of an employee to participate in political activities while off duty. The employee may not, however, disturb employees or lobby for initiatives, ballot measures or other political issues while on duty or in uniform.

    c. Additionally, employees who are seeking an elected office will not use the employee's office, City supplies or City equipment to influence another person or persons for political purposes.

    d. Employees shall not use their official authority to affect the results of an election or nominations for office.

2. Running for Office
    a. Any employee may seek election to any public office. If seeking political office, the employee shall report this information prior to entering a race, to his/her Supervisor and to the Department Head, who will notify the HR Director and the City Manager. Employees who are under consideration for appointment to political office shall notify their supervisor and Department Head before officially accepting the appointment. Employee's must request a leave of absence when campaigning interferes with the employee's work-related duties.

    b. Salaried Public Officers - Employees who are elected to a salaried public office are required to resign from City employment no later than the date on which they take office.

c. Del Rio City Council - If a City employee wins election or accepts appointment to serve on the Del Rio City Council, they must resign immediately as the service would constitute a direct conflict of interest with City employment.

d. Other political offices or appointments - The City Manager will review and determine if potential conflict of interests, the appearance of conflict of interest, or other reasons exist that could require the employee to resign from City employment prior to the candidacy. The City Manager may require employees resign their position with the City upon winning or accepting appointed positions.

e. As per State law, employees may be allowed time off to vote without loss or reduction of any employment benefits, if the employee does not have 2 consecutive hours to vote outside of working hours. Supervisors should accommodate voting times for employees if work schedules conflict with time available on a case-by-case basis.

POLICY 150 – EMPLOYEE CLASSIFICATION

A. **Policy Statement** - The City administers its wage and hour program in compliance with the provisions of the Fair Labor Standards Act (FLSA), as amended.

In this policy, it is essential that employees be knowledgeable about the category of employment which applies to them. The Status categories are listed here, with information about the benefits accorded to each. Employees should also refer to the sections about benefits, pay, and leave to see how the category affects these.

B. **Definitions**

1. Non- Exempt Employees – "Non-Exempt" employees are those employees who are subject to the overtime provisions of the Fair Labor Standards Act.

2. Exempt Salary Employees - "Exempt" employees are those who are not subject to the overtime provisions of the Fair Labor Standards Act

C. **Orientation Period Status**

1. It is required that all new employees of the City of Del Rio are hired in the Orientation Period Status.

2. The City uses the Orientation Period employment system to allow Department Heads and supervisors to closely observe and evaluate employees on their ability in performing the essential functions of the position and the ability and willingness to contribute to the performance of the department and to encourage adjustment to the new position.

3. The City will only use the Orientation Period, solely for the evaluation of the employee's performance, ability, or willingness to work and for no other use or benefit.

4. Employees should use this period to evaluate their satisfaction with the position and determine their desire to continue to regular employment status. Only those employees who meet acceptable standards during their orientation period shall be retained.

5. Every employee hired by the City shall be required to successful complete an orientation period of three (3) months. At the end of this period, the employee will be notified of his/her employment status by the Department Head or the Personnel Director through a written, formal evaluation conducted by his/her immediate supervisor or Department Head.

6. Full-time regular personnel, while as an Orientation Period Employee, shall accrue sick leave and annual leave, and may be granted the use of sick leave as per the sick leave policy. Vacation leave will not be permitted until the completion of the orientation period. Part-time, Temporary, or Seasonal employees do not accrue leave of any type.

7. Participation in the City's Retirement Plan begins immediately upon employment. Details of the retirement program are available in the Human Resources Office.

8. There shall be three employment options at the conclusion of the orientation period:

    a. Extended orientation for a period not to exceed three months;
    b. Reclassification to regular status; or
    c. Termination with or without cause, of which such terminated employee shall not be entitled to any termination pay or other benefits.

9. During the orientation period, employees may be required to gain certificates, licenses, or meet other standards. Those employees who are unable to meet the requirements shall not be retained. At the discretion of the Department Head, an employee may be allowed an additional time period, which shall be approved by the City Manager, to fulfill the requirements. Failure to attain such certification, license, or meet such standards shall be grounds for denying retention of the employee and may be terminated with or without progressive disciplinary action.

10. Civil Service employee's probationary periods are regulated by Texas Local Government Code Chapter 143 and City of Del Rio Civil Service Rules and Regulations 9.43.

D. **Full-Time Regular Status**

1. A Full-Time Regular Employee is any employee who:

    a. Was hired for a budgeted position;
    b. Has successfully completed the orientation period in a budgeted position; or
    c. Regularly and consistently works more than 30 budgeted hours per week.

2. Full-time Regular Employees are accorded all benefits available under this category.

E. **Part-time Regular Status**

1. A Part-Time Regular Employee is any employee who;

    a. was hired for a budgeted position;
    b. has successfully completed the orientation period in a budgeted position;

2. In order to participate in the City's Retirement Plan, a Part-time employee must work more than one thousand (1,000) hours a year.

3. Part-time Employees working less than 30 hours per week are not eligible for any benefits under this category.

F. **Temporary Status**

1. A person employed by the City for a position which is occasioned by extra work, special projects, and/or other factors which create a need for temporary labor shall be hired under the category of Temporary Employee.

2. Temporary employees are those who are hired in the following conditions;
    a. to assist in the completion of a temporary and special project,
    b. as part of or that coincides with their school curriculum (on a paid basis), or

c. to serve as a seasonal employee and who have no reasonable expectation of employment beyond the season or project.

3. No Temporary Employee shall be retained in the employment of the City after the project or special work for which the individual was hired is completed. Such employees may, however, be transferred from one special project to another with the approval of the City Manager.

4. Department Heads may recommend that Temporary Employees be assigned Regular Status if a vacancy exists, if said employee meets all the criteria for Regular Employee status, and an employment application is completed for the budgeted position.

5. Temporary Employees are not eligible for any benefits awarded to Full-time Regular Employees.

G. **Seasonal Status**

1. Seasonal Employment is much like Temporary Employment. Seasonal Employees are normally found in Departments that have regular, recurring, heavy work periods, of relatively short duration. Examples are the Tax Department's annual issuance of tax statements, and the Parks & Recreation Department's summer programs.

2. Seasonal employees will be informed of the expected duration of their employment when they are hired. The period of seasonal employment may be extended if the City finds that the project for which the seasonal employee was hired is extended.

3. Seasonal employees are free to apply for any regular position with the City at any time.

H. **Program-funded Status**

1. The City frequently has on staff several employees whose salaries are paid by another agency, such as a state agency that grants funds for a specific program. In some cases, an individual who contributes a service to the City and works in a City-owned facility may be an employee of another agency. These employees may be required to keep special or additional records of such things as materials used in the execution of their work, or number of clients of the service provided. They may need special certification, testing, or continuing education.
2. Employees who fall into this special category will have their status explained to them by the Human Resources Department Head, and/or the City Manager at the time of their employment.

I. **Transfers**

1. A transfer in job position may be implemented to satisfy the staffing and operating needs of the City of Del Rio and as determined by the City Manager.

2. An employee may at any time be transferred from one position to another, in the same or to a different department, under the request or direction of the City Manager.

3. An employee may not deny or refuse to accept a transfer to another position as determined as best for the City's operation and at the City Manager's discretion. Refusing to may result in disciplinary action being taken up to and including termination with or without progressive disciplinary action.

J. **FLSA Exempt & Non-Exempt**

1. All employees of the City of Del Rio are classified as either "Exempt" or "Non-Exempt." These are categories defined by the Fair Labor Standards Act.

2. These address an employee's eligibility for overtime pay, and other related issues, based on the type of work an employee performs, whether the employee supervises others, and other criteria.

3. The City of Del Rio adheres to the Fair Labor Standards Act as is required; employees with questions about their status should consult with the Human Resources Director.

POLICY 160 – WAGE & HOUR ADMINISTRATION / COMPENSATION AND PAY

A. **Policy Statement** - The City administers its wage and hour program in compliance with the provisions of the Fair Labor Standards Act (FLSA), as amended. The purpose of this directive is to outline the standard work hours for the City of Del Rio.

B. **Procedure/Rule** – The Human Resources Department shall be responsible for administering the city's wage and hour administration program. Human Resources, in conversation with Department Heads, determines, according to the FLSA, whether a position is exempt or non-exempt. The FLSA establishes minimum wage, overtime, required record keeping, and child labor standards.

C. **Non-Exempt Employees** – Non-exempt employees will have wages calculated on actual hours worked based on their hourly rate of pay to include all leave types and overtime pay. All hours worked will be paid on the next regular paycheck which will be distributed the payday following the last day of the prior pay period.

D. **Exempt Employees** – Exempt employees will have their wages calculated by dividing their annual salary amount by twenty-six (26), which is the number of bi-weekly pay periods in a calendar year, for equal payments. All payments will be paid on the next regular paycheck which will be distributed the payday following the last day of the prior pay period.

1. Improper deductions from the pay of exempt employees is prohibited. If an exempt employee believes that an improper deduction from his/her salary has been made, a complaint should be made to the Human Resources Department. The Human Resources Department will investigate the complaint. Upon finding by the Human Resources Department that an improper deduction, and the City will make a good faith effort not to make future improper deductions in accordance with Federal Fair Pay Rules Safe Harbor Provision.

   For more information regarding salary basis for exempt employees. Employees are asked to review the *Fact Sheet #17G: Salary Basis Requirement and the Part 541 Exemptions under the Fair Labor Standards Act (FLSA).*

2. Deductions – All wage payments to employees will have all applicable benefit, retirement, and tax deductions removed in accordance with the governing regulations at that time. All mandated additional wage deductions, such as child support and IRS levies, will be deducted after any required notice is given to the employee.

E. **Calculations for 207(k) Personnel** - Commissioned police and fire personnel assigned to 207(k) provision shifts will have wages calculated in a manner similar to that described for the non-exempt personnel with two (2) exceptions; (1) the regular rate and overtime will be based on calculations as outlined by the FLSA, and (2) overtime payments will paid in accordance with FLSA guidelines.

F. **Pay Compensation Table**

1. The pay table is a schedule of salaries arranged in 'groups', which coincide with the groups on the Employee Classification Plan. The group shows the range of pay for any job which falls in that group.

2. Within each group are 'steps' in which each employee must be paid at one of the steps. New employees are usually paid at the first step of the group. At the City Manager's discretion, an employee may be hired at a Step commensurate with the applicant's experience, education and/or in consideration for any other qualifications or high demand skill(s) that the applicant might possess. This consideration is above the Hire Rate and will only be done so to recruit the best applicants for city employment positions.

3. Through completed years of service or at the direction of the City Manager, an employee can move up to a higher step, and therefore a higher pay rate.

4. Temporary adjustments outside the steps as may be scheduled to compensate employees that have accepted additional duties on an interim basis. This adjusted amount is permitted for short periods of times not to exceed twelve (12) months and must be of a percentage not to exceed 5% (five percent) of the employee's current pay rate.

5. Adjustments for additional assigned duties, not of a temporary nature, should be considered by placing the employee on the pay schedule that is reflective of the duties, and not as a percentage of the step. This change may only be done with the approval of the City Manager.
    a. This change may also be done contrarywise; that is if duties are removed or reduced from the employee, therefore reducing the pay rate.

6. The Pay Compensation Table may at any time, be modified, changed, reworked, revised, reviewed, or redone in the effort to best provide an accurate pay schedule that is reflective of the employment market economy and the City's budgetary status.

7. The City Manager shall prepare and submit to the City Council for their approval a Pay Table, in conjunction with the Employee Classification Plan, which shows all the rates of pay which apply to all employees.

8. The Pay Table is subject to periodic and regular review and adjustment as necessary due to such concerns as minimum wage law changes, market conditions, and budgetary considerations.

G. **Pay Periods, Pay Dates**

1. The City Manager is responsible for the setting of regular pay dates.

2. Currently, all City employees are paid bi-weekly; every other Friday by means of direct deposit. All employees, at time of hire, are required to provide the City HR Staff with a bank account for processing their paycheck. All payroll payments will be executed in this manner and no checks issued.

3. Each pay issued will include earnings for all work performed through the specified time period.

4. The Human Resources Department will publish an annual calendar showing pay periods and pay dates. The calendar is normally posted in each work area.

H. **Hours Worked**

1. Hours worked, is time spent on the job performing assigned work duties.

I. **Time Records**

1. The city currently uses the *Kronos Time-Keeping System* which serves as the City's official work time record. Each employee is responsible for ensuring that on every day they are scheduled to work, the employee '*clocks-in'* or '*punches-in'* at their assigned workstation timeclock, computer workstations assigned, or on the city assigned mobile devise, if the employee is permitted access by their supervisor.

    a. From time to time, and to serve the city's financial record keeping needs, the system utilized by the city may change.

2. It is the employee's responsibility to verify hours worked when reviewing and submitting their work time record to the Accounting/Payroll Division. By submitting his or her record, the employee is confirming that it is correct and accurately recorded.

3. Tampering, altering, asking, or permitting another employee to enter their time record, or falsifying their time submittal will result in disciplinary action, up to and including termination of employment.

4. Employees are generally expected to clock in and out no sooner than five (5) minutes before or after their shift, with the emphasis on clocking in as close to their scheduled shift time, as well as clock out as soon as they have completed their shift and are required to clock out and in for meal breaks. Failing to clock in or out of their shift or for their meal break, the employee must notify the supervisor/approver immediately. Supervisors must manually correct the time entry. Employees who repeat missing time clock entries are subject to disciplinary action. If at training or authorized to be away from their worksite at the time and not able to clock in at their worksite, the employee must advise their supervisor for correct time entry.

5. Employees falsifying, embellishing, and/or knowingly submitting their work time record that is not true or correct, into the time keeping system as their time submittal, will result in disciplinary action, up to and including termination of employment.

6. Employees are responsible to report incidents that they witness where either of the listed violations on subsections I, II, III, or IV above occur. Employees who fail to report known violations, are subject to disciplinary action, up to and including termination of employment.

J. **Overtime Pay**

1. When the city's department operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. It is the policy of the City that all overtime hours are pre-approved by the Department Head or Division Supervisor before the hours are worked.

2. All worked overtime hours must be documented on the approved form or system, and approved by the employee and supervisor, submitted or documented on the

approved time keeping system, and provided to the Accounting Division. All form(s) must be submitted at the same pay period as when employee's time sheets are due.

3. As stated in Section 4 of this policy, all City of Del Rio employees are classified as exempt or non-exempt for purposes of complying with the Fair Labor Standards Act (FLSA). The FLSA is the Federal wage and hour law which governs the obligation of employers to pay overtime compensation.

    a. Certain employees are exempt from the application of this law because they meet certain tests in determining their status. As such, exempt employees are not required to receive overtime pay for hours worked beyond the limits provided by the law.

4. For employees who are paid hourly, other than Firefighters and Police officers covered by Civil Service statutes, all actual hours worked in excess of 40 hours per week shall be considered overtime. For Firefighters and Police officers, all actual hours worked in excess of the regular work week as defined by Civil Service statutes, shall be considered overtime. All such overtime hours will be paid at the rate of one and one-half the regular rate, to be calculated as allowed by the Fair Labor Standards.

5. As per the FLSA, the city is not required to count the hours of paid holidays, paid time off (PTO), vacation, personal and sick leave hours taken by an employee toward the calculation of the overtime requirement, due to these hours are not actually "worked" and are therefore not considered as hours counted toward overtime.

6. Employees who are called back in to work after having completed a regular workday shall be paid only for the actual hours worked.

7. As with any other conditions of employment, no employee is to consider or assume that overtime work is guaranteed to him or her.

8. The City Manager may direct that no overtime be worked.

9. The provisions for overtime pay shall not apply to exempt employees, in accordance with the FLSA.
    a. For more information, see "*Fact Sheet #17G: Salary Basis Requirement and the Part 541 Exemptions Under the Fair Labor Standards Act"*.

K. **Educational Incentive Pay** *(Civil Service Employees only)*

1. It is the Policy of the City of Del Rio to encourage the professional development of its Civil Service Employees by providing an educational incentive payment program. These employees should refer to their current Meet and Confer or Collective Bargaining Agreement for more information.

L. **Longevity Pay**

1. Longevity Pay is provided to encourage retention of employees by recognizing the value of continuous service to the city.

2. For purposes of the Longevity Pay Policy, an individual who is a Full-time Regular employee of the City on the date of December 1st of each year. Shall be entitled to receive, in a lump sum payment on the first pay period of December each year as per Table 4, subsection 5.

3. For employees who leave employment in 'Good Standing' and return to City employment; the total actual time of employment with the city will be used to calculate their longevity pay.

4. Civil Service employees receive longevity pay on a dollars-per-month basis. The rate is set by statute, and those employees who are eligible for such pay will receive a separate schedule from the Human Resources Office upon their employment.

5. Longevity Pay is calculated according to the following schedule:

TABLE 4

With continuous service in year number	**% of your annual base pay**
1	0.25
2	0.50
3	0.75
4	1.00
5	1.25
6	1.50
7	1.75
8 and each consecutive year	2.00

M. **Merit Pay**

1. The City of Del Rio has no current practice of Merit Pay.

N. **Separation Pay**

1. For purposes of this section**,** the original effective approval date of this policy is February 20, 2021, by Ordinance #O:2021-012 as approved by the City Council.

2. For purposes of this Policy, an eligible full-time employee who is in Good Standing is regarded as having complied with all their explicit obligations, while not being subject to any form of sanction, suspension, investigation, or disciplinary censure or action.
    a. Full-time employees hired by the City, after the original effective policy approval date are not eligible for any sick leave separation pay but may be eligible for any accrued and unused vacation leave.

3. Good Standing extends to good behavior, in addition to an appropriate notice of leaving employment. The eligible employee who is in good standing with City may take advantage of the benefits of Separation Pay Benefit.

4. Employees who were hired prior to the original effective approval date of this policy may be allowed this benefit, if in "Good Standing" and provides the minimum notice outlined below, if:
    a. The full-time regular employee must have been employed by the City for more than one year in order to receive the vacation leave benefits upon separation.
    a. The full-time regular eligible employees provide to his/her Department Head or Division Supervisor, a minimum of least two (2) weeks' (14 calendar days) a signed, written and dated notice of the intent to resign or retire from their employment with the City.

5. If eligible per subsection 4 above, the employee shall be entitled to the following:
    a. All accumulated and unused vacation leave.
    b. All accumulated and unused sick leave not to exceed the amounts as follow:
        a. Regular City employees will receive pay for up to 720 hours of accrued sick leave (90 multiplied by 8 = 720)
        b. Civil Service Police Officers and Fire Fighters working forty hours per week will receive pay for up to 720 hours of accrued sick leave. (90 multiplied by 8 = 720)
        c. Civil Service Firefighters who are working 24-hour shifts at the same time of separation will receive up to 1,080 hours of accrued sick leave. (90 multiplied by 12 = 1,080)

5. Continuation of medical coverage, under certain conditions, is provided under the program entitled the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985. This is federal legislation that allows city employees to continue to purchase health insurance for up to 18 months if they lose their job. Employees can get details on COBRA and as well as any other termination benefit at the Human Resources Risk and Benefits Office.

O. **All City Employees**

1. Work Schedules – Standard office hours of operation for the City of Del Rio are Monday through Friday, 8 AM to 5 PM, with meal periods or rest periods as may be defined by the Department Head.

   Other than those in offices, operational hours may be in shifts and may vary by department. A Department Head or designee determines the hours and work schedules for departmental employees.

2. Non-exempt employees may not volunteer to conduct work which is required by their job function. Non-exempt employees may volunteer to assist other departments in capacities not related to their daily job, such as in times of declared disasters to provide support of on duty personnel.

    a. Exception: Civil Service employees will be handled in accordance with Chapter 143 of the Local Government Code and Local Rules.

3. **Shifts**

1. Shift-Work Employees Work Period and Work Hours - the standard work shift of certain departments may consist of the assignments in shifts of eight (8), ten (10), twelve (12), sixteen (16), or twenty-four (24) hours.

2. Police Department Shiftwork/ sworn employees work period and work hours - The standard work shift of the Police Department may consist of, Eight (8), Ten (10) [40 hours per work week], Twelve (12), Sixteen (16) [86 hours per pay period].

    a. For Commissioned Police Department employees working the eighty-six (86-hour schedule, the City of Del Rio utilizes the FLSA 207 (k) Provision. Police Department employees assigned to this work schedule will have a standard work cycle of 14 days.

POLICY 165 - MERIT INCREASE PROGRAM

A. Purpose

a. The merit increase program recognizes and rewards the valuable contributions of employees by paying market competitive salaries in a fiscally responsible manner.

The foundations of this program are meeting the goals set forth during the fiscal year and evaluating the employee's performance annually. The merit increase program will remain active if budgeted funds are available in the fiscal year. Merit increases are based solely upon job attendance and performance, is not automatic, and there is no annual entitlement to them. Each year, the City Manager and the Review Committee will determine the merit increase funds available. Both the objectives of the compensation program and the financial resources available will be considered in the merit decision-making process.

b. Merit increase is used to reward successful performance. Merit increases will be awarded to employees who consistently "Exceeds Expectations" or "Outstanding" performance standards.
c. Merit increases will not be granted to employees whose performance has been rated as "Meets Expectations", "Needs Improvement", or "Unsatisfactory".
d. It is the policy of the City of Del Rio to pay its employees a fair and equitable amount of their services without regard to race, sex, age, national origin, color, religion, sexual orientation, gender identity, mental or physical disability, or any other legally protected status.

B. Eligibility
   a. Full time and part time employees are eligible for an annual performance raise, including Division Heads.
   b. Employees who have received an overall performance evaluation standards/rating.
   c. Employees must have an evaluation with an effective date of 14 months preceding the current evaluation on file with Human Resources (HR).
      i. Employee performance is evaluated upon the completion of the introductory period and at least once annually, using the City's designated form or software.
      ii. New employees are eligible, when funded, upon successful completion first year anniversary, as referenced in the Personnel Policy Manual.
   d. The following classifications are NOT eligible for the performance merit increase:
      i. Temporary Workers
      ii. Interns
      iii. Any contracted personnel
      iv. All executive positions to include the Asst City Manager, Human Resources (HR) Director, Finance Director, Community Service Director, Economic Development Director, Planning and Zoning Director, Chief of Police, Fire Chief, and Public Works Director.
      v. All City Council appointed positions to include the City Manager, City Attorney, City Secretary, City Auditor, and Municipal Court Judge.
      vi. All Civil Service personnel
      vii. Employees on unpaid leaves of absence, excluding unpaid or paid Family Medical Leave Act (FMLA) absences.
      viii. Employees on long-term disability.
      ix. Employees who have received an overall "Meets Expectations, Needs Improvement, or Unsatisfactory" performance evaluation rating.
      x. Employees currently on a Performance Improvement Plan (PIP).
      xi. An employee whose pay is at the maximum of the salary range may not be granted a merit increase that would cause the base salary to exceed the maximum of the range for that position.

xii. An employee may not receive a merit increase if their attendance and performance does not justify an increase.

xiii. Employees who have had a documented and filed disciplinary action imposed during the fiscal year preceding the effective date of the pay increase may not be granted a merit increase, as determined by the Department/Division Supervisor in collaboration with Human Resources

C. Merit Increase based on annual performance evaluation process.

a. Annual performance appraisal forms are received by the Human Resources Department staff and submitted by the Department/Division Head. The Department/Division Head should submit to HR their employee's evaluation form before discussing with the employee. Evaluations must be completed for all employees on their anniversary date for the fiscal year to support the proposed merit increase.

b. Department/Division Heads are required to provide written details and specific examples of why employees are receiving a particular rating for each goal and competency on the performance appraisal form.

c. Performance evaluations submitted by the Department/Division supervisor with a determination of an "Outstanding" rating, must submit a detailed memorandum with the evaluation form describing examples of the accomplishments, work done, commitment to the job, and teamwork of the employee. If no memorandum is provided, the evaluation will be returned to the submitting dept/division supervisor.

d. HR staff will review for thoroughness and clarity. If determined to be incomplete or lacking information for a proper evaluation, it will be returned to the submitting dept/division. If accepted by HR, it is forwarded to the Merit Increase Review Committee.

e. The appraisal form along with the justification documentation will be reviewed by the Merit Increase Review Committee for approval. If the Committee is unable to determine if the evaluation clearly defines the employee's performance, it will be returned to the submitting dept/division.

f. If accepted and reviewed, the committee will determine to accept or deny the evaluation for merit increase. The dept/division supervisor may request review by the city manager of any denied merit increase evaluations.

g. If authorized, the merit increases will be applied at the employee's anniversary date or completion of evaluation. The amount of increase will be no more than one step along the employee's current grade of the current pay table, that has been approved by the City Manager.

h. Employees are to be notified by the HR director of their merit increase as soon as possible after all employee merit increases for the period have been approved.

i. Merit increases are not automatic and will be subject to budgetary limitations and the authorized approval of the annual budget by the City Council. This is an opportunity to review the standards for the position and set future goals. The focus of the review is to discuss the employee's performance for the rating period, review standards for the position, communicate the amount of the employee's merit increase and set goals for the next rating period.

j. If the employee's evaluation is found to be classified as "Needs Improvement" or "Unsatisfactory", the employee will be put on a PIP for no less than 90 days.

k. Merit Increases are not solely based on the overall evaluation rating, the following criteria must also be considered:

i. Performance: Commendable performance of job duties or contributions.
ii. Work Behavior: Attitude toward the job, including initiative, attendance, dependability, and cooperation with other employees.
iii. Disciplinary action that occurs before a merit increase is paid may cause to withhold a merit increase.
iv. Additional responsibilities: Taking on additional responsibilities, employees, and/or projects due to new programs/services and/or increased skills and abilities.
v. Education achievement: When an employee completes a degree program, certification or licensing program related to the employee's position, duties, and responsibilities, and/or career development plan.

D. Merit Increase Review Committee
   a. The Merit Increase Review Committee consists of the HR Director, Assistant City Manager, and Finance Director. The committee will:
      i. obtain the highest degree of employee performance and morale through fair and equitable salary administration.
      ii. ensure that salaries paid are internally equitable and consistent within and between position categories.
      iii. ensure that salaries paid are fair and competitive within the relevant labor market.
      iv. provide recognition and reward for differences in individual performance.
      v. provide an effective means of budgeting and ensuring that salary and related expenses can be sustained within the economic requirements of the City.

E. Evaluation Tool and Procedure
   a. Human Resources Director will determine what approved form or software is to be used for all employee evaluations. Only salaried supervisors are to conduct all evaluations for employees. Team Leads, Crew Leaders or other non-exempt employees may **not** perform evaluations of employees. All evaluation forms submitted for review must be typed and signed by the evaluator and department supervisor. Handwritten evaluations will be returned to the submitting supervisor. Human Resources will review for adherence to this procedure and if necessary, will return to the submitting supervisor if corrections are needed. If accepted by HR, the evaluation is forwarded to the review committee, with a detailed report of all evaluations including those not forwarded for consideration.

F. Process Summary
   a. Department/Division Supervisor completes the approved employee evaluation form (paper or electronic).
   b. If the employee's evaluation is determined to be classified as "Exceeds Expectations" or "Outstanding", then the evaluation form with the justification documentation is presented by HR to the Merit Increase Review Committee for review and a possible merit increase of one step of the current pay table.
   a. If an employee's evaluation is submitted and classified as "Meets Expectations", "Needs Improvement", or "Unsatisfactory"; only the HR report will be presented to the committee.
   b. City Manager makes the final decision based on the recommendation of the Merit Increase Review Committee.

c. If approved, the Department/Division Supervisor discusses the performance appraisal with the employee and initiates the process of submitting the PAF (Personnel Action Form).
d. Recommendations reviewed by the review committee and acknowledged or issues a final decision by the City Manager, cannot be appealed.

POLICY 170 - PROMOTION, TRANSFER, VOLUNTARY DEMOTION, & RECLASSIFICATION

A. Purpose and Scope. To establish practices for administering the movement of employees due to a promotion, transfer, voluntary demotion, or reclassification; also, to establish practices for administering salary for these employees. This policy applies to all non-civil service employees.

B. **Policy**

1. Promotion. A promoted employee shall be appointed into the new position's pay grade at the interval closer to, and not less than a five (5) % increase from the employee's current salary. If the promotion includes a change in departments, seven (7) calendar days' notice is required, 14 days are recommended.

   A promotion does not constitute a commitment or binding agreement for continued employment in the new position, nor is there a guarantee that the employee will be able to return to his/her former position if he/she is unsuccessful in her/her new position.

2. Transfer – A transferred employee's pay grade, step (interval), salary, and annual evaluation date will remain the same. If the transfer includes a change in departments, seven (7) calendar days' notices is required, 14 days recommended; any exception to this one-week expectation must be approved by both Department/Division Heads involved.

3. Voluntary Demotion.

   a. If an employee is voluntarily demoted to a position, he/she previously held, the employee may be placed at the same pay interval last held in the position. The employee's annual evaluation date remains the same as his/her anniversary hire date.
   b. If an employee is voluntarily demoted to a position or classification, he/she has NOT previously occupied, the employee shall receive the entry level salary for the lower position.
   c. An employee who is voluntarily demoted with a change in job title, essential job duties, and/or pay grade may have an impact on the salary as determined by the City Manager.

4. Reclassification
   A reclassification that results in a change in job title, essential job duties, and/or pay grade may have an impact on the salary as determined by the City Manager.

5. Promotional Examinations, Transfers, Interviews
   a. All employees are entitled to necessary time off with pay for the purpose of seeing a transfer, taking promotional exams, or hiring interviews for other City of Del Rio positions for which they are eligible. The amount of time allowable shall be limited to no more than eight (8) hours per calendar year. If the employee wishes to use additional leave, the employee must request paid or unpaid leave from their supervisor for this purpose.

POLICY 180 – PAID LEAVE / HOLIDAY LEAVE

A. Paid Leave

1. Vacation Leave Policy and Statement of Purpose - It is the policy of the City of Del Rio to encourage employees to make use of and enjoy their accrued vacation time, to allow employees to take leave without repercussion for other approved purposes. Employees are asked to follow the procedures in place to ensure that the work of the city does not suffer, and all employees have equal access to leave. Employees failing to follow procedures will find their leave, or pay for leave, denied.

2. Vacation credit shall begin accruing immediately upon employment, but vacation time off shall not be granted to any employee either on Probationary or Orientation Status. Vacation credit shall not be accrued past the year in which it is earned.

   No employee can carry over from one calendar year to another, more than the accrual maximums from one calendar year. Vacation credit in excess of the amount allowed for carry-over shall be dropped and lost on December 31 of every calendar year. Carry over in excess of the amount allowable may be granted, only by the City Manager, and only under exceptional circumstances.

3. Carry Over Allowance – 160 hours of accumulated vacation time may be carried over from one year to another.

4. The City Manager, Department Head and Division supervisors may establish rules to limit the length of time or how much time vacation an employee can take at any given time (i.e., two weeks). The needs of the city and key personnel, at critical periods of time, must be taken into consideration and analyzed with work schedules. This is not to say employees are entitled to the vacation leave, but to ensure the staff needed are present when City business requires their presence.

5. Employees shall notify their supervisors as far in advance as possible that they would like to take vacation time off. The amount of vacation leave requested should coincide with the amount of notice provided the supervisor. The following is the recommended advance notice for leave requests. Supervisors' discretion on notice time is allowed as workload or schedules require. For extended periods of leave one (1) week or more, employees must request 2 weeks/or 10 business days prior to the date being requested.
   a. Holidays which occur during an employee's vacation shall be credited as holiday pay, and no vacation hours charged for that day.

6. Vacation time off may be taken at the minimum of 1-hour increments.

7. Last day of employment - Separating employees who have resigned or provided notice of retirement from the City of Del Rio, are not permitted to use vacation leave at any time in their final two (2) weeks of employment unless the employee is using vacation leave for approved FMLA leave.

8. Vacation Leave Maximum Accrual Allowance - All Regular and Civil Service employees shall be entitled to paid vacation time at their regular rate of pay upon completion of each year's service.

9. Vacation Accrual - It is the responsibility of each employee to see to it that they are getting proper credit for vacation time indicated on the stub of their paycheck. Vacation leave shall be credited at the rates found on Table 5 below.
    a. The vacation accrual for employees rehired and with previous employment with the city, will be based on the total longevity of service in the employment with the city.

TABLE 5

NON-CIVIL SERVICE REGULAR EMPLOYEES	
Total service, in years:	**Hours earned**
0 – 5	6.67 per month / 80 per year
6 – 10	8.67 per month / 104 per year
11 – 15	10.67 per month / 128 per year
16 – 20	12.00 per month / 144 per year
21 or more	13.00 per month / 160 per year
CIVIL SERVICE PERSONNEL WORKING FORTY HOURS/WEEK	
All Police Officers and Classified Fire Personnel in administrative assignments	
Total Service, in years	**Hours Earned**
0 – 10	10.00 per month / 120 per year
11 – 15	10.67 per month / 128 per year
16 – 20	12.00 per month / 144 per year
21 or more	13.33 per month/ 160 per year
CIVIL SERVICE PERSONNEL WHO WORK TWELVE (12) HOUR DAYS – FIREFIGHTERS ASSIGNED TO FIRE SUPRESSION	
Total Service, in years	**Hours Earned**
0 – 10	15.00 per month / 180 per year
11 – 15	16.00 per month / 192 per year
16 – 20	18.00 per month / 216 per year
21 or more	20.0 per month / 240 per year

Fire fighters who are assigned to work in fire suppression typically work 24-hour shifts or 12-hour days. Some firefighters work in administrative positions and are assigned to work 40 hours per week, or eight-hour days. However, the compensation the City pays to each firefighter in the same classification must be the same, no matter what his or her assignment. When a firefighter's assignment is changed from suppression to administrative, or vice versa, the hourly rate that the firefighter earns must also change. A corollary to the change in hourly compensation is that the vacation and sick leave accruals for firefighters who change assignments must also be changed, to reflect equal treatment between firefighters in the same classification, regardless of the assignment, as shown below:

- From an 8-hour day to a 12-hour day – multiply by 1.5
- From a 12-hour day to an 8-hour day – divide by 1.5

B. **Sick Leave Policy and Statement of Purpose -** The purpose of this policy is to establish uniform guidelines for the accrual, use and payout of sick leave. Sick leave is paid time away from work to provide income protection for an employee who:

1. Is unable to perform his/her job due to an illness or injury.

2. Must miss work to care for an immediate family member who is ill or injured (see definition of 'immediate family' under Section 3).

    a. In the event of a life-threatening illness or injury of an employee's family member who does not meet the definition of "immediate family," the department head may allow the employee limited use sick leave as s/he deems reasonable under the circumstances.
    b. Is on maternity leave.
    c. Needs short and intermittent time away from work for visits to a professional healthcare provider.
    d. Must attend a funeral, or to make final arrangements of a deceased member of the employee's second-degree family member by affinity or sanguinity.

3. Eligibility

    a. Eligibility for a Regular employee in the Orientation Period begins immediately upon City employment.
    b. Full-time Regular employees and Part-time Regular employees (designated to work at least 30 hours per week) are immediately eligible to accrue sick leave.

4. Accrual
    a. Timing – Sick leave accrues at the close of each of month but will not accrue for any pay period for which the employee is not paid (e.g. on unpaid leave).
    b. Rate - All Regular employees shall accrue sick leave credit at the rate of 15 days per year each year of employment, to be accrued at the rate of 10 hours per month, or 120 hours per year.
    c. Termination/transfer - Accrual of sick leave is unlimited until the employee is terminated or is transferred to a position which is ineligible for paid sick leave, at which point the accrual ceases and the employee's sick leave balance is paid out according to the Pay Out schedule below.
    d. Part-time to Full-time - An employee transferring from a Part-time Regular position to a Full-time Regular position or vice versa shall retain the balance of sick leave already accrued but shall begin to accrue sick leave at the rate applicable for the new position.
    e. Last day of employment - Separating employees who have resigned, provided notice of retirement, or intent to end employment with the City of Del Rio. Are not permitted to use sick leave at any time in their final two (2) weeks of employment unless the employee is using sick leave for approved FMLA leave.

5. Sick Leave Substitution

a. FMLA - Time away on sick leave due to an event that qualifies for leave under the Family and Medical Leave Act (FMLA) will be deducted from both the employee's sick leave balance and his/her balance of available FMLA leave. The employee may also be required to use other paid leave if the employee does not have enough sick leave to cover the FMLA absence
    - Employees on approved FMLA leave are required to use all available leave, to include sick leave, personal leave and annual leave, concurrently with a bona fide FMLA event.

b. Non-FMLA. An employee lacking enough accrued sick leave to cover an absence under this policy, which is not subject to the FMLA, may request to substitute other paid leave or to be placed on a leave-without-pay status. The substitution of other paid leave is not automatic.

c. Any leave substitution must be approved by the department director or designee, who will consider whether to:
    - Approve the use of other paid leave;
    - Authorize a leave without pay; or
    - Take other administrative action to mitigate the negative impact of the employee's absence(s).

d. Approved paid leave substitutions shall be subject and in the following order:
    - Vacation leave
    - Holiday leave

e. FLSA - The provisions of this policy apply to employees whether classified as exempt or nonexempt from the minimum wage and overtime requirements of the Fair Labor Standards Act (FLSA), in accordance with the rule found at 29 CFR Part 541.710 and pursuant to the City of Del Rio's general policy of public accountability. All employees shall account for any absences subject to the application of this policy according to the manner described herein.

f. Non-exempt employees must substitute paid leave or leave without pay for any absence which causes hours worked to be less than normally scheduled for any designated work period, which is generally 40 hours in a seven-day work period.

g. Other - After an employee's accrued sick leave has been exhausted, personal leave may be used as sick leave upon request of the employee. When absence due to illness exceeds the amount of total paid leave earned and authorized, the pay of an employee shall be discontinued until he/she returns to work. (the employee will be placed on Unpaid Administrative Leave as of the day following the last day of paid leave). Sick leave will not be advanced.

6. Documentation

a. Return-to-Work Release - An employee returning from a sick leave absence for his/her own illness/injury in excess of three (3) consecutive workdays may be required to submit a return-to-work release from the employee's doctor indicating that the employee has fully recovered from his/her recent illness/injury is released to full duty.
    - The employee may also be required to take a physical ability test if such a test is normally required for placement in the job. Both the return-to-work release and a passing score on the physical ability test (if required) must be submitted to the Human Resource Department before the employee may resume regular work duties.

b. Proof of Illness/Injury - A Department Head may, at their discretion, require satisfactory proof of illness/injury if they suspect fraud or misuse of leave for absences not authorized under the Family and Medical Leave Act (FMLA) or workers' compensation leave. Departmental requests for medical documentation to support the use of sick leave shall be processed by the Human Resources Department. Employees are encouraged to request and retain evidence of health care office visits/treatment related to sick leave absences if absenteeism or apparent misuse of sick leave becomes a matter for investigation and/or disciplinary action.

c. For FMLA or Workers' Compensation - For absences authorized under FMLA or workers' compensation, the Human Resources Department will request documentation to support the need for absence and/or the return to work. All such requests will be made in accordance with applicable laws and regulations.

7. Holiday Leave

a. The City officially observes several paid holidays a year. On these days, most City offices are closed, and most employees are given the day off.

b. Only employees in Full-Time Regular positions are eligible for paid holidays.

c. Seasonal, temporary, part-time, or program employees are not eligible to receive holiday leave.

d. Employees who cannot be given the holiday day off, such as emergency responders, will be paid for that day at the employee's regular rate of pay the actual number of hours worked, plus eight hours for the holiday benefit.

e. An employee who is absent without prior authorization to be absent on approved leave, on the day immediately preceding or immediately following a holiday or holidays, shall lose pay for the holiday(s) as well as for that day absent.

f. An employee who separates or commences an unpaid leave of absence on the last scheduled workday before or after a holiday will not receive holiday pay.

g. Regular full-time employees will be allowed to take the holiday on another day if the holiday falls on the employee's regular day off.

h. Holiday time earned must be used within six (6) months following the day for which the holiday is earned, with approval of the supervisor. Holiday time not used within the previous six months will expire and may not be used.

i. All employees will receive payment for all accumulated holiday time upon promoting, demoting, or transferring to a different classification, to a different department or division or from a non-exempt to an exempt position, at the former rate.

j. With approval of their supervisor, employees wishing to observe religious holidays not included within the City recognized holidays, shall be given time off without pay or allowed to use vacation leave.

k. In accordance with the Texas Local Government Code Sec. 142.0013, Hours of Labor and Vacation of Members of Fire and Police Departments, in Certain Municipalities, subsection (c), "a fire fighter shall be granted the same number of vacation days and holidays, or days in lieu of vacation days or holidays, granted to other municipal employees, at least one of which shall be designated as September 11th. Patriot's Day may be exchanged for Columbus Day at the employee's discretion.

l. The Human Resources Director will publish a calendar each year, showing the actual dates that the city will observe each holiday. The following is a table contains a list of the fifteen (15) holidays typically observed by the City of Del Rio:

TABLE 6

HOLIDAY	TYPICALLY OBSERVED ON:
NEW YEAR'S DATE (2 DAYS)	Jan 1st + 1 additional day-either Dec 31st or Jan 2nd
MARTIN LUTHER KING DAY	3rd Monday in January
PRESIDENT'S DAY	3rd Monday in February
GOOD FRIDAY	Friday before Easter Sunday
MEMORIAL DAY	Last Monday in May
JUNETEENTH	June 19th; - if on weekend on the following Monday
INDEPENDENCE DAY	July 4th if on a weekend, either July 3rd or 5th
LABOR DAY	1st Monday in September
COLUMBUS DAY	2nd Monday in October
VETERAN'S DAY	November 11th if on a weekend, either Nov 10th or 12th
THANKSGIVING (2 DAYS)	4th Thursday and Friday in November
CHRISTMAS (2 DAYS)	Dec 25th + 1 additional day- either Dec 24th or 26th

8. Personal Day Leave

    a. All regular employees who have successfully completed the Probationary or Orientation Period are granted 1 (one) Personal Day Leave per fiscal year.

    b. Personal Day Leave is earned at the beginning of the fiscal year (October 1st) and must be taken by the last day of the fiscal year (September 30th).

    c. On the first year of employment, employees will be granted the Personal Day Leave on their anniversary hire date, and every year after as stated on section #2 above.

    d. The Personal Day Leave is any one day, to be taken at the employee's discretion, with the prior approval of the Department Head or Division Supervisor.

    e. Carryover of the Personal Day Leave from one fiscal year to another is not allowed. If Personal Day Leave is not taken before the last day of the Fiscal Year, the leave is lost.

POLICY 183 - EMERGENCY REMOTE WORK POLICY

1. **Purpose -** To define the remote working (or teleworking) program and the guidelines and rules under which it will operate. This policy applies to all departments and is effective for the duration of the emergency period of time for the employee and as determined by the City Manager.

2. **Definitions** - "Remote working:" A work arrangement where the employee works from home or another remote work site away from the primary traditional workplace. Also known as "remote working."

3. **Policy -** It is the policy of the City of Del Rio to provide for the use of remote working as a work option in an emergency or under unusual circumstances. This would include but is not limited to situations in which the City Manager deems necessary for the betterment of the city and due to: 1) a serious public health hazard, 2) a natural disaster, 3) a serious significant safety condition in the workplace that impacts City operations, 4) and/or a catastrophic illness or condition of an employee or employees that cause a concern for continued wellbeing of either the employee or other employees.

   Additionally, remote working must be feasible for the employee to perform some or all of their essential work functions through remote capability (such as by phone or computer).

   a. Remote working does not change FLSA exemption status, salaries, benefits, job responsibilities, combination leave, major medical leave or any other basic terms of employment or other requirements under the City's personnel policies.

   b. Remote working is only feasible for those tasks within a job, which are amenable to being performed away from the regular office. Selection of employees shall not be arbitrary but shall be based on the ability for the employee to be able to perform essential functions of work as defined by their job duties and job descriptions remotely through telework. Selection may be based upon reasonable accommodation provisions for employees with disabilities. Final selection decisions shall be at the sole discretion of the City Manager.

   c. At the discretion of the City Manager, the following employees will be eligible for remote working whenever feasible, provided City equipment and resources (such as laptops and/or through VPN accounts) are available and the employee is physically able to perform the functions of their position via remote or telework:
      i. Those individuals who have a confirmed exposure to a CDC or County Health Department recognized serious public health condition
      ii. Those with compromised immune systems
      iii. Those that have family members with compromised immune systems with whom them are exposed to
      iv. Those that are identified as "essential" personnel to the continuity of the business operations of the city and are able to work remotely
      v. Those employees the City Manager deem as eligible

d. It is expected that the above reference remote workers who are able to physically perform the essential functions of their work during an emergency situation or unusual circumstance will perform their work remotely.

e. Remote workers need to be available by phone and regular contact with supervisors as their supervisor defines as "regular contact" and co-workers. Once approved, the supervisor will work out a remote work schedule with the employee for the workweek.

f. The department director, in accordance with those personnel policies must authorize time off if still applicable (such as with a callback or callout situation).

g. No overtime will be authorized for any reason when on Emergency Remote Work.

h. As with any work schedule, changes in work schedules may be made to meet management needs or to accommodate an employee's request and shall be at the discretion of the department director.

i. Leave policies apply to any instance where the remote worker does not perform work either at the workplace or at the alternative workplace as scheduled.

4. Equipment and Software

a. Equipment. If use of a computer is required, at the start of remote working, the City shall provide the remote worker with a laptop computer, if available, or the remote worker may, at his or her discretion, use personal computer equipment.

b. Owner. Any software purchased by the City to assist the remote worker shall remain the property of the City and the remote worker shall comply with City policies. Employees should pay special attention to public records laws and Information Technology Use operating policy. Installation of software on City computers shall be performed by or under supervision by the City's MIS-IT staff.

c. Network Connections. Remote workers connecting their own personal computer equipment to City equipment must obtain advance approval and must follow instructions provided by the City. Changes to a personal computer or the City's laptop that results in an incompatible or unsupported PC configuration are not allowed. Remote workers must immediately notify their department director of any changes that may negatively affect City equipment. The remote worker must take adequate measures to protect against computer viruses, including scanning any disks for viruses prior to using.

d. Maintenance, Repair and Replacement. In the event of equipment or software malfunction, the remote worker must notify his/her department director immediately. The City will not provide onsite assistance at the alternative workplace, but may be able to provide troubleshooting assistance over the telephone. If repairs will take some time, the remote worker may be asked to report to the regular office or worksite until the equipment is usable.

Repairs to remote worker owned equipment shall be the responsibility of the remote worker. If necessary, equipment belonging to the remote worker is stolen or malfunctions and the remote worker determines not to replace or repair the equipment, the remote working agreement shall be terminated. The City must be notified if any City owned equipment is stolen or malfunctions.

e. **Confidential and Sensitive Information.** Remote workers shall adhere to all laws, policies, regulations and procedures regarding security and confidentiality for the computer, its data and information and any other information handled in the course of work. Remote workers must protect confidential information and irreplaceable documents.

f. **Alternate Workplace Environment.** Alternate workplaces must be clean and free of safety hazards. The alternate workplace must be in compliance with all building codes. The facility must be free of hazardous materials. The remote worker is responsible for ensuring his or her alternate workplace complies with these health and safety requirements. Department directors may deny an employee the opportunity to remote work or may rescind a remote working agreement based on safety of the alternate workplace. Department directors may also have the alternate workplace inspected for compliance with health and safety requirements.

   Inspections will be by appointment only.

   i. If a remote worker incurs a work-related injury while remote working, worker's compensation law and policies apply. In the case of such injury, remote workers must notify their supervisors immediately and complete all necessary and/or management requested documents regarding the injury.

   ii. The opportunity to participate in the remote working program is offered with the understanding that it is the remote worker's responsibility to ensure a proper work environment is maintained and to continue to provide essential services to the City of Del Rio.

g. **Personal Electronic Devices**. Employees are not allowed to use personal devices for routine or daily work assignments. Employees must use City-owned devices for communications and work assignments except to check emails or Office 365 communications on a limited or as-needed basis. Appointing authorities may not approve use of personal devices under any circumstances for employees whose work uses programs and databases that do not have web-based interfaces (e.g., FAMIS, etc.), or employees whose work involves sensitive and/or confidential information protected by federal, state, or local statutes (e.g., HIPAA or CHRIA-protected information, taxpayer information, etc.). Employees using a personal device, as stated above, must follow all guidelines set forth in the Technology Access Control policy, including the use of VPN and MFA.

   i. Any employee working from home will be required to participate in the City's mandatory Cyber Security training through the HR/Risk Department on an annual basis. Any employee failing to complete such training on an annual basis may have their work from home privileges

revoked.

h. **Reimbursable Expenses**. The City may not choose to reimburse remote employees for consumables ordinarily provided to employees while working onsite, such as paper, writing utensils, or other office supplies. Employees should be directed to obtain office supplies onsite, via existing City purchasing processes. The City will also not reimburse employees working virtually for the following expenses:
   i. Expenses related to home internet services, including installation costs, ongoing service costs, or data overages
   ii. Expenses incurred in purchasing, using, repairing, or replacing personal devices, including computers, cellular telephones, and peripherals such as printers, keyboards, and mice.
   iii. All other expenses not specifically enumerated as reimbursable in this policy

i. **Dependent Care.** Employees are expected to obtain care for dependents as necessary to ensure that employees may effectively work virtually. City management may relax this care expectation during exigent circumstances (e.g., sporadic school closures, illness, or other emergencies that prevent employees from obtaining dependent care).

j. **Timekeeping**. Employees may combine virtual work with onsite work and/or leave time when appropriate and approved. All virtual work should be tracked on the employee's timesheet using the appropriate time code provided by payroll.

k. **Discipline**. Employees working virtually must abide by the same rules, regulations, and policies regarding conduct and work performance that they would be expected to adhere to while working onsite at the regular location of employment. Employees who fail to follow such rules, regulations, or policies, or who abuse virtual work may have their virtual work privileges be revoked and/or be disciplined, with sanctions up to and including termination.

5. Termination

a. Termination of Individual Remote Worker's Participation in Program. Because participation in remote working is a bilateral voluntary agreement, the department director or remote worker, with approval of the City Manager may terminate an individual remote worker's participation in the program, without cause, at any time, without prior written notice. Termination of a remote worker's participation for misconduct or poor performance may be immediate and does not require advance written notice.

b. Remote working opportunities are based upon program requirements and work available as determined by management.

POLICY 185 - RESIGNATION/RETIREMENT

A. **Objective -** Although the City of Del Rio (City) hopes that employment with the city will be a mutually rewarding experience, it is understood that varying circumstances do cause

employees to voluntarily resign employment. Employees are asked to follow the guidelines below regarding notice and exit procedures when voluntarily resigning.

B. **Procedure**

a. **Notice of resignation.** Employees are encouraged to provide two weeks' notice to facilitate a smooth transition out of the city. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances.

b. **Form of resignation notice.** All resignations must be confirmed in writing. Employees may wish to complete the employee resignation form provided by the city for this purpose or may submit other written notice that must include the reason for leaving and the effective date. Employees who verbally resign will receive a confirmation of resignation notice within 24 hours.

c. **Resignation for failure to report to work.** Employees who fail to report to work for three consecutive days without properly communicating to their supervisor or manager the reasons for their absence will be viewed as voluntarily resigning their employment as of the third day.

d. **Rescission of resignation.** Employees will not be allowed to rescind a resignation, whether given verbally or in writing, once the resignation has been confirmed by the employer. Employees who wish to discuss concerns about their continued employment before making a final decision to resign are encouraged to do so consistent with the city's retention program.

e. **Eligibility for rehire.** Employees who resign in good standing under this policy and whose documented performance is above average under the city's performance management system will be eligible for reemployment. Former employees will be considered for open positions along with all other candidates.

f. **Reporting of employee departures.** All departing employees, regardless of the circumstances surrounding their departure, will be reported as a group on a monthly basis to all staff. Those with a need to know (e.g., supervisors up the chain-of-command, payroll, front desk, IT and security) will be advised of the last day of actual work for the city.

g. **Exit meeting.** Resigning employees will be scheduled for an exit meeting to ensure that all tools and equipment are returned and to provide an opportunity to discuss any questions or concerns related to employment with the city. Employees who fail to return any city property, including keys, credit cards, tools, uniforms, cellular phones, laptops, and other equipment, will be deemed ineligible for rehire and may be subject to legal proceedings on behalf of the City.

h. **Forwarding address and final pay.** Departing employees will be asked to confirm their forwarding address to ensure that benefits and tax information are received in a timely manner. Final pay will be mailed to this address by the next payday unless state law or other procedures dictate otherwise. Accrued but unused vacation will be paid out consistent with city policy and state law requirements.

POLICY 190 - ATTENDANCE, PUNCTUALITY, AND ABANDONMENT OF EMPLOYMENT

A. Policy Statement – It is the policy of the City of Del Rio that attendance and punctuality of all employees, is an implied requirement of every job. Every employee is responsible to

maintain a good attendance record and arrive at work or job site on time in a punctual manner. Employees who do not arrive on time, or will be absent, shall contact their immediate supervisor as outlined below.

B. Purpose and Scope - To provide a method to control employee attendance to maintain efficient City operations and services. This policy applies to all employees.

C. Job abandonment is defined as an employee's absence from duty for three (3) workdays without authorization. An employee may be considered to have abandoned their job if the employee fails to report to work; fails to remain at work for a scheduled workday; and/or, fails to return to work upon expiration of approved leave. Unless the employee produces a satisfactory explanation for the unauthorized absence, disciplinary action, up to and including termination, may be considered. In the case of termination, the Human Resources staff will forward, by certified mail, to the employee's last known address, a formal notification that a dismissal action has been processed.

POLICY 200 - CATASTROPHIC CONDITION POLICY (Shared Sick Leave)

A. Policy Statement - It is the policy of the City of Del Rio to allow employees to voluntarily donate accrued sick leave to an employee who has suffered a catastrophic or life-threatening injury or illness and who has exhausted all paid leave.

B. Defined - A “catastrophic or life-threatening injury or illness” is defined as a severe, unanticipated, non-job related, not self-inflicted medical condition which has a prolonged negative effect on the employee’s health and incapacitates the employee for an extended period of time. Some examples include cancer, heart surgery, heart attack, stroke, etc. Catastrophic or life-threatening injury or illness shall not include elective surgery nor unforeseeable medical care rendered as a result of something other than injury or disease.

C. The procedure for administrating this policy will be determined by a supervisory committee composed of the HR director, assistant city manager, and the finance director.

D. FMLA – Any employee requesting this shared leave should also be advised that the employee may be eligible for Family and Medical Leave as well. More information on FMLA is provided in the handbook

POLICY 210 - FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY

A. Provision - In accordance with the Family and Medical Leave Act (FMLA), the City will grant job-protected unpaid family and medical leave to eligible employees for up to 12 weeks per 12-month period for any one or more of the following reasons;

B. In order to care for a child following the child's birth, adoption, or placement in foster care with the employee;
    1. Leave must be taken within 12 months following the child's birth or placement with the employee;
    2. If married spouses both work for the City, they are each entitled to 12 weeks of leave if the leave is taken for the birth or placement of a child;

C. In order to care for an immediate family member (spouse, child, or parent) of the employee if such immediate family member has a serious health condition;

D. The employee's own serious health condition that makes the employee unable to perform the functions of his/her position; or

E. The employee must attend to a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is on covered active duty or has been notified of an impending call or order to covered active duty in the Armed Forces.

F. The City of Del Rio follows the rules and guidelines as determined and set forth by the Department of Labor. All procedures and processes adhere strictly to the guidelines and forms as may apply.

G. Employees with questions regarding FMLA are encouraged to contact the HR staff.

POLICY 220 – BEREAVEMENT LEAVE FOR IMMEDIATE FAMILY

A. Policy Statement - The Bereavement Leave Policy establishes uniform guidelines for providing paid time off to employees for absences related to the death of immediate family members and fellow employees or retirees of the City of Del Rio. Employees are allowed up to three (3) consecutive days off using their sick leave accrual, from regularly scheduled duty with regular pay in the event of the death of immediate family members.

B. Eligibility - All full-time, active employees are eligible for benefits under this policy.

C. Procedures - An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor as soon as possible. If employee leaves work early on the day he or she is notified of the death, that day will not count as bereavement leave.

In addition to bereavement leave, an employee may, with his or her supervisor's approval, use any available vacation leave for additional approved time off as necessary. Employees under discipline for attendance issues may be required to provide documentation about their bereavement leave.

Bereavement pay is calculated based on the base pay rate at the time of absence, and it will not include any special forms of compensation, such as overtime or shift differentials.

1. Paid bereavement leave will be granted according to the following immediate family members:
    a. The employee's spouse, domestic partner, child, stepchild, parent, stepparent, father-in-law, mother, mother-in-law, son-in-law, daughter-in-law, brother, sister, stepbrother, stepsister, grandparent, grandchild or spouse's grandparents, or an adult who stood in loco parentis to the employee during childhood.
    b. Employees are allowed up to four hours of bereavement leave using their sick leave accrual, to attend the funeral of a fellow regular employee or retiree of the City, provided such absence from duty will not interfere with normal operations.

POLICY 230 – JURY / COURT DUTY

A. Jury Duty - The City of Del Rio encourages employees to fulfill their civic responsibilities by serving jury duty when required.

1. Employees shall continue to receive their regular pay when they must be absent from work because of jury service.

2. It is the responsibility of the employee to provide a copy of the document requiring attendance in court to his/her immediate supervisor.

3. An employee serving on jury duty must report for work the remainder of the day upon completion of the jury duty.

4. Time spent on jury duty will not count as hours worked for overtime purposes.

5. The employee may keep any compensation received for jury duty.

B. Court Duty

1. Employees required or subpoenaed to appear in court on a matter arising out of, or related to, City employment shall be paid as normal work hours.

2. Employees required to appear in court for any other reason shall be required to use either vacation leave or unpaid leave.

3. Employees shall continue to receive their regular pay when they must be absent from work because of attendance at court by a summons, or coroners' inquest as a witness.

POLICY 240 -ADMINISTRATIVE LEAVE OF ABSENCE WITHOUT PAY POLICY

A. Purpose and Scope. To provide a means for employees to secure limited unpaid time off when such time is needed for important personal reasons. This policy applies to all employees.

B. Policy. The granting of leave of absence without pay is at the sole discretion of the City Manager. Once approved by the Department Head, the leave of absence without pay may be subsequently cancelled by the approving authority. Employees must exhaust all paid leave they are eligible to use before their Department Head can consider approving a leave of absence without pay.

C. Administrative Leave of Absence (unpaid leave) Procedure

1. This leave must be arranged in advance and be approved in writing.

2. Employee's Responsibility – employees are responsible for maintaining their own leave accruals. Employees utilizing repeated, unauthorized leaves of absence without pay may be subject to disciplinary action, up to and including dismissal.

3. Brief leave – a Department Head may approve an employee to be absence without pay for a maximum of ten (10) workdays per calendar year. Supervisors must provide written documentation of approval on the HR form provided for this request.

4. Extended leave – A leave of absence without pay of more than ten (10) days must be requested in writing to the Department Head and after consulting with the HR Director, submitted for review by the City Manager for denial or approval. The decision is final with no additional remedy or recourse.

5. Health Benefits and Other Deductions - Benefits shall not accrue while the employee is on leave of absence without pay when it exceeds time worked during that month.

POLICY 250 - MILITARY LEAVE

A. Policy Statement and Purpose - The City shall follow State and Federal Law in the case of employees who must be away from their jobs because of service in the military to enable employees to receive extended time away from work to satisfy military service obligations. This policy extends to all employees.

B. Provisions

1. Employees who receive military orders must request military leave by submitting a leave request form and attaching a copy of their orders. Such employees must report to HR in person to receive information about their employment/unemployment rights.

2. Employees on military leave do not accrue sick leave or vacation leave during the time off. Questions on coordination of benefits will be answered on a case-by-case basis. Non-civil service employees on military leave will receive time credit toward retirement but not monetary contributions to TMRS.

3. An employee's position may be temporarily filled while the employee is on military leave. A supervisor may fill a non-civil service position with a provisional hire. Civil Service positions which need to be temporarily filled requires a decision from the City Council per Texas Local Government Code 143.

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

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

5. A returning employee who, prior to departing for military service, elected to leave eligible accruals on the payroll systems shall have these benefits reinstated upon their return to work.

6. If a returning employee is unable to perform the essential functions of the position due to an injury while on military leave, the City will offer that individual a position in a classification whose duties he/she is able to perform, if a vacant position is available.

7. When returning to work, the date of hire remains as the date of hire for the position served in before recall to active duty for seniority and benefit purposes.

8. All employees shall be allowed paid leave for military services as a member of the active service, reserve units, national guard, or other official special units will be granted in accordance with applicable state and federal laws to all regular employees for a maximum of fifteen (15) days paid leave per fiscal year.

C. Provisional Employees

1. All positions vacated as a result of an employee's recall to active military duty are subject to the provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA) in that the person whose absence is necessitated by reason of service in the uniformed services has the right to reemployment for a period of up to five (5) years from their date of recall.

2. Positions vacated by employees on military leave may be temporarily filled via a provisional hire. Positions are considered vacated when an employee is removed from the payroll system. A provisional employee may be reassigned on the return of an employee from military leave. Reassignment of a provisional employee may result in a demotion or relocation.

3. Provisional employees are eligible for the same probationary and regular employees.

4. Upon the return of the employee on military leave, a provisional hire is subject to termination if no suitable vacancy is available for reassignment. A provisional employee may be reassigned on the return of the employee.

5. On the return of the service member, employees may request a transfer or emotion to a position formerly held if a vacancy exists. If returning to a position previously held, the original anniversary date remains the same.

6. Time in the position will count in determining longevity and leave accrual.

POLICY 260 – EMPLOYEE BENEFITS

A. Insurances

1. The City of Del Rio has an interest in keeping its employees healthy. Therefore, various insurance programs have been made available, such as Health, Dental and Life Insurance. Some are paid by the City, and some can even be extended at the employee's expense to cover the employee's family. Other optional insurances are available to be selected by the employee. Benefit eligibility is dependent upon a variety of factors. Information on the City's insurance programs is available through the HR Staff or with the Risk Manager.

B. Retirement

1. The City's retirement plan includes a City-paid contribution and an employee-paid payroll deduction. All regular and part-time employees who work more than one thousand (1,000) hours a year are covered and must participate unless excluded by law. Staff in the Human Resources Department should be contacted for additional details.

C. Employee Assistance Program (EAP)

1. The City of Del Rio recognizes that employees may experience problems that could affect the quality of their job performance. The City of Del Rio is committed to providing an Employee Assistance Program for its employees and their eligible family members to assist City employees in resolving their difficulties. The EAP is designed as a confidential service, provided by professionals to help employees and their family members address difficulties related to alcohol or drug abuse, legal and financial issues, stress and emotional problems and relationship and family difficulties. Periodic reports are given to the City detailing the number of employees using the program. No names or other identifying information are included in this report.

2. In cases of disciplinary actions, Supervisors may make mandatory referrals to the EAP when it is evident that problems, difficulties and/or stresses are adversely impacting an employee's ability to perform their assigned duties. Mandatory referrals will be coordinated through the Human Resources Director. Employees must comply with the mandatory referral requirements.

3. For more information on the program, please contact the Human Resources Director.

POLICY 265 - SERVICE RECOGNITION AWARDS AND RETIREMENT GIFTS

A. **Purpose -** The City of Del Rio (City) values the contributions, knowledge, and experience of long-term employees. In appreciation of this dedicated service, City recognizes employees as they reach milestone anniversaries of employment and retirement.

B. **Eligibility**

- Full-time, active employees become eligible for a service award in the year in which they complete 5, 10, 15, 20, 25, 30, 35 and 40 years of service without a break in service.
- Retirement recognition awards are given upon retirement after completion of 20 years of employment without a break in service.

C. **Service Award Procedures**

- The human resources (HR) department will coordinate with external vendors to procure and to select an array of gifts in recognition of their tenure or retirement.
- Instructions will be sent by HR to the employee being recognized. Employees select a gift of their choice and return the order form to HR.
- All employees celebrating milestone anniversaries will receive a letter of appreciation from the City Manager.
- Employees celebrating years of service will be invited to an anniversary dinner hosted by the city manager and members of department head management.
- Employees retiring after 20 years of uninterrupted service will be recognized by management during a city council meeting and/or events closest to the date of their retirement.

POLICY 270 – EDUCATIONAL TUITION REIMBURSEMENT PROGRAM

A. Policy Statement. To encourage full-time regular employees to further their educational or professional development, the City will reimburse up to seventy-five percent (75%) of the cost of tuition and other fees for courses taken from an accredited college or university. The courses and degree plan sought by the City employee, must be related and beneficial to the employee's job. Reimbursement will be according to a schedule approved by the City Council and will be subject to budgetary limitations.

B. General Eligibility Requirements

1. Regular, full-time employees who have successfully completed their initial probationary period are eligible to receive Education Reimbursement.
2. The coursework/degree plan must be directly related to the employee's field of work. The determination of this requirement will be made by the Finance Director, Human Resources Director, and City Manager.
3. In any graded course, an employee must attain a course grade of "C" or higher. In circumstances where the course is non-graded, a "Pass" grade must be earned to be eligible for reimbursement.
4. All course work must be taken on the employee's own time.
    a. Courses must be taken at an accredited Junior College, College, or University.
    b. An employee may receive reimbursement for only one degree at each level: Associates or Undergraduate (Bachelor's).

C. Not Eligible for Reimbursement

1. Temporary, Seasonal and Part-Time employees are not eligible for Education Reimbursement.
2. Credits obtained by the College Level Examination Program (CLEP) are not eligible for Education Reimbursement.
3. If an employee resigns or is terminated for any reason prior to course completion, the City shall not be obligated to pay reimbursement
4. Courses not related to the employees' field of work.
5. It is not the policy of the City to reimburse the cost of tuition and fees for any individual who is receiving or is eligible to receive assistance from such other sources such as scholarships, grants, and other subsidy programs (e.g., GI Bill). An employee who receives financial assistance for their education from another source must disclose the source and amount on the Education Reimbursement Form. In all instances, total financial assistance and Education Reimbursement will not exceed the educational expenses incurred by the employee.
6. Graduate (Master's) and Doctorate's degrees are not eligible for reimbursement.
7. Seminars, Conferences, and those courses that deal with professional certifications or licensing are not eligible for Education Reimbursement. Individual departments may address these in other budgetary line items.
8. Education reimbursement shall be paid only once for each approved course.
9. The employee must meet the established course enrollment deadlines for the Spring, Fall or Summer Semesters that precedes the course. Late enrollment fees will not be reimbursed

POLICY 273 - MENTAL HEALTH LEAVE FOR PEACE OFFICERS

A. Policy Statement - The City of Del Rio is committed to protecting the psychological health, safety, and wellbeing of its Peace Officers. The City acknowledges that workplace trauma is a health and safety issue and that by creating a Mental Health Leave Policy for Peace Officers to address employees experiencing a traumatic event we can improve the well-being of the organization.

B. Application

a. Mental Health Leave for licensed Peace Officers is intended to provide full-time Peace Officers who experience a traumatic event that occurs while on duty, time away from work to receive assistance in dealing with the event that was experienced.

b. The following are examples that may be considered a traumatic event. As these examples will not encompass all traumatic events Peace Officers may potentially encounter, the Police Chief will evaluate requests for leave under this policy to determine if Mental Health Leave is applicable.

i. Officer involved shooting.
ii. Vehicle crash involving serious injury or death to an officer or citizen.
iii. Officer being the victim of a felonious assault.
iv. Death of a coworker.
v. Death or serious injury to someone in custody of officer.
vi. Severe trauma or death of a child.
vii. Homicide Scenes.
viii. Incident involving multiple deaths and/or injuries (natural disaster or terrorist attack).

c. Peace Officer Mental Health Leave provides paid leave for up to 3-twelve hour shifts from work, per traumatic event that occurred while on duty, in order for the Peace Officer to seek professional treatment for the handling of the traumatic event in which they were involved.

d. The Peace Officer will contact the Chief of the department and request the use of the leave in order to obtain mental health assistance. The Chief may consult with the Director of Human Resources prior to granting the Leave.

e. Based upon the information provided to the department administration after the event, Mental Health Leave will be granted if ordered by a mental health professional or the Chief of Police/designee.

f. Mental Health Leave hours will be recorded on the timesheet as regular hours, to provide anonymity. However, the City will keep requests to take mental health leave and any medical information related to mental health leave under this policy confidential to the extent allowed by law and separate from the employee's general personnel file. The agency cannot guarantee anonymity of information that is otherwise public or necessary to carry out the agency's duties under the law.

POLICY 275 - PAID QUARANTINE LEAVE

A. Purpose - To provide paid leave to applicable staff (first responders) who are ordered to quarantine or isolate by the City's health authority or authority designated by the City Manager due to a possible or known exposure to a communicable disease while on duty.

B. Policy Statement- The use of quarantine leave may be granted after a Fire Fighter, Peace Officer, and Emergency Medical Technician has had a possible or known exposure to a communicable disease while on duty. The City's health authority or authority designed by the City Manager will determine when a threat of highly communicable or life-endangering diseases are immediately present and may release orders for applicable/essential workers to follow general quarantine protocols. When this occurs, department supervisors will allow for the use of quarantine leave based on the protocols for appropriately dealing with the disease and/or its prevention of community spread. Employees will be released from quarantine leave based on guidance from the local health authority or authority designated by the City Manager. An employee who is in quarantine should notify the Human Resources Department of any changes to their health status.

C. Paid Quarantine Leave Provides that:
    a. Eligible employees on paid quarantine leave will continue to be eligible for all employment benefits and compensation, including continuing their leave accrual, pension benefits and eligibility for health benefit plan benefits for the duration of the leave. While on quarantine leave, the employee will not be required to use any other paid leave type (vacation, sick, holiday, compensatory time). When applicable, employees who must be quarantined may be eligible for reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation.
    b. If applicable, an employee on paid quarantine leave is expected to remain home during periods of quarantine and may work from home (i.e., telework) during this period if permitted by departmental arrangement and approved by the City Manager. In addition, an employee on paid quarantine leave may not work a second job, including self-employment or participate in volunteer work.

D. Workers' Compensation:
    a. Applicable employees on paid quarantine leave must file the exposure to a communicable disease while on duty as a workers compensation claim. Should the employee be approved for and receive workers' compensation benefits, the City's salary payment (i.e., employee wages) will be offset to reflect total eligible/paid compensation.

E. Definitions
    a. "Emergency medical technician" means an individual who is:
        i. certified as an emergency medical technician under Chapter 773, Health and Safety Code; and
        ii. employed by a political subdivision.
    b. "Fire fighter" means a paid employee of the fire department who:
        i. holds a position that requires substantial knowledge of firefighting.
        ii. has met the requirements for certification by the Texas Commission on Fire Protection under Chapter 419, Government Code; and
        iii. performs a function listed in Section 143.003(4)(A).

*"Health authority" has the meaning assigned by Section 121.021, Health and Safety Code.
*"Peace officer" means an individual described by Article 2.12, Code of Criminal Procedure, who is elected for, employed by, or appointed by the City.

POLICY 280 – ETHICS

A. Ethics Policy Statement and Purpose - City employees will maintain the highest ethical standards in the conduct of City affairs. Intent of this policy is that each employee will conduct the City's business with integrity and comply with all applicable laws in a manner that excludes considerations of personal advantage or gain.

B. Ethical Conduct - City employees and elected officials are entrusted with protecting the safety and welfare of the public's trust. All officials and employees must endeavor to pursue a course of conduct that does not raise concern or suspicion among the public. Therefore, they shall avoid acts, which are improper or give the appearance of impropriety. This conduct is particularly important for personnel who are charged with the lawful disposition of public funds. Employees are to keep these principles in mind and in accordance with state law, the following policies and procedures should be adhered to by all City of Del Rio employees, vendors, potential vendors, and employees of other government agencies when acting under authority delegated from the City of Del Rio.

C. This policy must be followed in conjunction with other City policies and the Central Purchasing Ethics Policy governing appropriate proper conduct.

D. Solicitation and Acceptance of Gifts - No soliciting will be permitted on City property during working time.

1. To ensure a productive and harmonious work environment, no person, including City employees shall solicit or raise funds, sell or distribute goods, services or food, or distribute or post related literature or signage, in the workplace at any time for any purpose.

2. City sponsored efforts for fund raising for non-profit organizations or for employees needing assistance, must be pre-approved by the City Manager.

3. The City of Del Rio recognizes that employees may have interests in charitable, not for profit, recreational or other outside events and organizations. City employees shall not conduct or participate in any activities during paid time or when such activities adversely affect productivity or a harmonious work environment.

4. No City employee shall accept or solicit any gift or favor that might reasonably tend to influence that individual in the performance of official duties or that the official or employee knows or should know has been offered with the intent to influence or reward official conduct.

5. Violations of any portions of this policy are subject to disciplinary action up to and including termination with or without progressive disciplinary action.

POLICY 290 - WORKPLACE RULES AND PROCEDURES

A. Departmental Policies, Procedures, and Rules

1. In addition to this manual, the City Manager, Department/Division Heads, and Supervisors can set rules about how things are to be done. Those rules are to be issued to explain a complex procedure, when safety is a concern, when there has been misunderstanding in the past, when there is a new procedure or requirement, or whenever it can be demonstrated that additional policies are needed. All employees shall adhere to these policies, procedures, or rules whether written or oral/verbal, in all respects.

2. These departmental policies and procedures shall serve as supplements to this Personnel Policy Manual. These department policies and procedures should be reviewed by Human Resources, the Legal Department, and approved by the City Manager. In the event of conflict in any section, this Personnel Policy Manual shall prevail.

B. Use of City Resources and Facilities

1. Employees are prohibited from using City facilities, equipment, supplies, employee time, or any other City resource for personal use. City resources which may not be used by employees for personal use include, but are not limited to, the following: computers, internet accounts, e-mail and voice mail systems, telephones, facsimile machines, copiers, postage machines, vehicles, tools, equipment, supplies, surplus items, work materials, goods in process, fixtures, office space, desks and filing cabinets. City resources are dedicated to City business, and City management shall always have full access to both the resources and any contents thereof.

2. Access to city equipment or facilities is restricted to those employees specifically designated access by their supervisor. Employees are not permitted to make personal copies of keys, share entry access codes, allow other persons access either purposely or otherwise; to any city equipment, facilities, or location unless specifically authorized by their supervisor.

POLICY 300 - OUTSIDE EMPLOYMENT

A. Policy Statement - It is the City's policy that all employees wishing to engage in outside employment must notify and obtain the written approval of their respective Supervisor, Department Head and the City Manager prior to accepting or engaging in other employment. by completing the Outside Employment Request Form. Such employment or activity shall not interfere with or adversely affect the individual's ability to perform his/her duties as an employee of the City, shall not present a conflict of interest as defined in the City Charter, and such outside employment shall not be the employee's primary obligation. If a conflict of interest exists, the request to engage in secondary employment will be denied.

B. Definition - For purposes of this policy, outside employment shall be considered to be any other employment other than that with the City of Del Rio, and shall include any self-employment, independent or contract services provided to a person, persons, or business for personal income, wages, or any other form of compensation.

C. Employees should consider the impact that outside employment may have on their health, physical endurance, and their ability to meet the performance standards of their respective positions. All employees will be held to the same scheduling demands, regardless of any existing outside work requirements.

D. If a request is approved and it is later determined that an employee's outside work interferes with performance or the ability to meet the requirements of the City, the employee may be asked to terminate the outside employment if he or she wishes to remain with the City.

E. Employees found to have obtained secondary employment without prior written approval of their supervisor, department head, and the city manager, will be in violation of this policy.

POLICY 310 - EMPLOYEE TRAVEL FOR WORK

A. It is the responsibility of the Department/Division head to make certain that authorization from the appropriate manager or supervisor for travel is received before any plans are made

B. The travelling employee is responsible for following any guidelines established on the City's Travel Policy by the Finance Department. The City of Del Rio's Travel Policy is available for review in every City Department's administrative office, and the Human Resources office.

C. As part of an employee's duties. Supervisors may direct or request that employees attend trainings or work-related events, either locally or out of town. These may or may not apply to all staff, and if do apply, will be provided as needed or necessary.

D. Employee's required to attend said travel events assigned or scheduled by the supervisor and as part of their job position, may not refuse these work travel requests.

POLICY 320 - EMPLOYEE DEVELOPMENT AND TRAINING

A. Policy Statement - It is the policy of the City of Del Rio to provide training and development opportunities for employees in order to encourage high quality performance and to prepare employees for new or increased responsibilities, skills, and to extend opportunities for individual growth, promotion and development.

B. It is the department supervisor and the employee's responsibility to seek out the courses and other training mediums that will enhance his or her career development and are in line with the City's mission. Professional development can be obtained through attendance at seminars, educational courses or webinars, and degree programs that will assist the employee in performing his or her essential job functions and increase the employee's contribution to the city.

C. Employees must request permission from their immediate supervisor for review and approval to attend and to receive reimbursement for a desired training and/or resource. The request must include applicable course of study, purpose, job relevance, cost, dates, times of coursework and the name of the institution or source of training.

D. Upon satisfactory completion of the training and/or coursework, the employee must provide documentation to support completion of the training course.

E. All City Departments and Divisions are responsible to provide funding and seek methods of providing development and training programs in their department.

POLICY 330 - ELECTRONIC DEVICE / TECHNOLOGY USE

A. **Policy Statement** - The City recognizes that use of the Internet and e-mail is necessary in the workplace, and employees are expected to use the Internet and e-mail systems responsibly, as unacceptable use can place the City and others at risk. This policy outlines the guidelines for acceptable use of technology systems. This policy must be followed in conjunction with other City policies and the M.I.S. (Management Information Services) policies governing appropriate workplace conduct and behavior. Any employee who abuses the company-provided access to e-mail, the Internet, or other electronic communications or networks, including social media, may be denied future access and, if appropriate, be subject to disciplinary action up to and including termination. The City complies with all applicable federal, state and local laws as they concern the employer/employee relationship, and nothing contained herein should be misconstrued to violate any of the rights or responsibilities contained in such laws.

1. Questions regarding the appropriate use of the City's electronic communications equipment or systems, including e-mail and the Internet, should be directed to your supervisor or the information technology (IT) department.

2. The City has established the following rules for employee use of the company's technology and communications networks, including the Internet and e-mail, in an appropriate, ethical and professional manner.

3. Violations of any portions of this policy are subject to disciplinary action up to and including termination.

B. **Confidentiality and Monitoring** - All technology provided by the City, including computer systems, communication networks, company-related work records and other information stored electronically, is the property of the City of Del Rio and not the employee. In general, use of the company's technology systems and electronic communications should be job-related and not for personal convenience. The City reserves the right to examine, monitor and regulate e-mail and other electronic communications, directories, files and all other content, including Internet use, transmitted by or stored in its technology systems, whether onsite or offsite.

1. Internal and external e-mail, voice mail, text messages and other electronic communications are considered business records and may be subject to discovery in the event of litigation. Employees must be aware of this possibility when communicating electronically within and outside the City.

C. **Appropriate Use** - All City employees are expected to use technology responsibly and productively as necessary for their jobs. Internet access and e-mail use is for job-related activities; however, minimal personal use is acceptable.

D. The following behaviors are examples that can result in disciplinary action. Because all possible behaviors cannot be contemplated, the list is necessarily incomplete.

1. Unauthorized attempts to break into any computer whether of the City of Del Rio or another organization.

2. Use of City time or resource for personal gain.

3. Theft or copying electronic files without permission.

4. Playing computer games, shopping, or surfing for non-work-related personal items or services on any City of Del Rio computer equipment.

5. Disclosing security codes or passwords to unauthorized persons.

6. Employees use of the City's Internet, e-mail or other electronic communications to transmit, retrieve or store any communications or other content of a defamatory, discriminatory, harassing or pornographic nature.

    a. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference.

    b. Harassment of any kind.

    c. Disparaging, abusive, threating, profane or offensive language and any illegal activities—including piracy, cracking, extortion, blackmail, copyright infringement and unauthorized access to any computers on the Internet or e-mail.

    d. Sending sexually harassing messages or other messages that violate government regulation or laws.

    e. Sending copyrighted materials belonging to entities other than the City may not be transmitted by employees on the city's network without permission of the copyright holder.

    f. Use of the City's computer systems in a way that disrupts its use by others. This includes sending or receiving excessive numbers of large files, spamming (sending unsolicited e-mail to thousands of users) or use for chain letters through electronic mail.

    g. Downloading software or other program files or online services from the Internet without prior approval from the MIS (IT) department.

    h. Refusing to cooperate with a computer security investigation. The City of Del Rio retains the absolute right to search City-owned computers and to obtain the information contained on them without notice to employees.

E. Every employee of the City is responsible for the content of all text, audio, video or image files that he or she places or sends over the city's Internet and e-mail systems. No e-mail or other electronic communications may be sent that hide the identity of the sender or represent the sender as someone else.

F. The City's logo and identity must be attached to all outgoing e-mail communications, which should reflect corporate values and appropriate workplace language and conduct.

G. **E-Mail Usage** - The electronic mail system is provided by the City to assist in the conduct of official City business. All messages composed, sent or received on the electronic mail

system remain the property of the City of Del Rio. No communication may be transmitted using any offensive, disruptive, discriminatory or harassing language. Communications are considered offensive if they contain sexual implications, racial slurs, derogatory or unwelcomed gender-specific comments, or other comments that offensively addressed someone's age, sexual orientation, religious or political beliefs, national origin, disability, or any other protected category.

1. This policy also applies to instant messaging (IM), Skype, Messenger, MS Teams, or similar type applications (apps) and programs.

H. **Internet Usage** - Internet access is provided by the City to assist employees in obtaining work-related data and technology. Employees use the internet for legitimate City of Del Rio business. Sites that include pornographic, sexual or obscene materials, dating services, blogging, personal internet sites such as Facebook, Instagram, or social media websites or applications. On-line games and gambling are strictly prohibited.

1. The City reserves the right to install blocking devices that restrict access to sites which may be in violation with this policy.

I. **Computer Usage** - All City of Del Rio computers and the information contained within them are property of the City of Del Rio and always retain this status. As such, employees of the City of Del Rio have no expectation of privacy whatsoever in computers that they use and likewise have no expectation of privacy with respect to the information contained within the computers they use.

1. Employees that are required to access the network and computer system on the city's network must receive a User ID from the MIS Department. The User ID is to be used only by the person assigned to the User ID and no one else. Any unauthorized use by any person using a User ID is strictly prohibited and subject to disciplinary action.
2. The use of all computer hardware, software, and network by City employees is to be for City business only. It is a violation of this policy to engage in unauthorized, deliberate action that damages or disrupts the computer system, alters its normal performance, or causes it to malfunction.

J. Protected Health Information.

1. Providing information about, or lists of, City of Del Rio employees to parties outside of the City, is strictly prohibited.
2. Any remote devices, i.e. laptops, PDAs etc., containing confidential information must never be left unattended.
3. Any and all health or medical related information stored on remote must employ access controls to include password protection and other security measures or mechanisms.
4. Refer to the Personnel Records, Privacy, and Searches Policy; and HIPPA/Privacy Training Policy in this handbook.

K. This policy must be followed in conjunction with other City policies, including the MIS Computer Network Policy.

POLICY 340 – TELEPHONE/VOICE MAIL USE

A. Purpose and Scope - To provide guidelines for the care, maintenance, use and operation of all property and equipment, used for City business. This policy applies to all employees.

B. Policy - All property/equipment assigned to employees remains the property of the City and as such is used primarily for job-related purposes and may be inspected by a Department Head or designee, without notice. Employee must adhere to the following guidelines:

    1. Usage - Employee's use of City property for personal matters should be minimal (de minimis). Incidental and occasional brief personal use is permitted if it does not interfere with any job duties

    2. Employees use of City-owned telephone equipment are responsible to review the City's Use of Technology Manual, or violation of this policy, may result in disciplinary action up to and including dismissal.

    3. Employees should not have an expectation of privacy when utilizing city equipment and property, to include phone, desk, email, voicemail, etc.

    4. Information created while performing City business, is in most cases, public information and subject to disclosure under the Texas Public Information Act.

    5. Use of personal devises for City business requires that copies of any documents, photographs, emails, text messages, or other items created by, or stored on, the devise, be provided upon request.

    6. Employees are expected to exercise reasonable care to safeguard personal items brought to work. City is not responsible for loss, damage, or theft of personal belongings.

C. This policy must be followed in conjunction with other City policies, including the MIS Computer Network Policy and the Central Purchasing Cellular Telephone Policy and User Agreement governing proper use.

POLICY 350 - ATTIRE AND PERSONAL APPEARANCE

A. Policy Statement - The City of Del Rio's Attire and Grooming Policy; and Uniforms Policy is in place in order to create and sustain a professional working environment in which both employees and visitors can conduct their business. The City Manager has the authority to set different or additional standards or to authorize Department Heads to do so for individuals or groups of employees when such standards are deemed appropriate. The Attire and Grooming Policy, and Uniforms Policy are official City policy, and violations thereof may subject an employee to disciplinary action.

B. Attire and Grooming Policy - The City of Del Rio strives to maintain a workplace environment that functions well and is free from unnecessary distractions and annoyances. As part of that effort, the City requires employees to maintain a neat and clean appearance that is appropriate for the workplace setting and for the work being performed. To that end, the City department heads may determine and enforce guidelines for workplace-appropriate attire and grooming for their areas; guidelines may limit natural or artificial scents that could be distracting or annoying to others.

1. All City employees are expected to present a professional, businesslike image to visitors, customers and the public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with the City.

2. Supervisors should communicate any department-specific workplace attire and grooming guidelines to staff members during new-hire orientation and evaluation periods. Any questions about the department's guidelines for attire should be discussed with the immediate supervisor.

3. Any staff member who does not meet the attire or grooming standards set by his or her department will be subject to corrective action and may be asked to leave the premises to change clothing. Hourly paid staff members will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards.

4. All staff members should always carry or wear the City identification badge while at work.

    a. Certain staff members may be required to meet special dress, grooming and hygiene standards, such as wearing uniforms or protective clothing, depending on the nature of their job. Uniforms and protective clothing may be required for certain positions and will be provided to employees by the City.

    b. At the discretion of the department head, in special circumstances, such as during unusually hot or cold weather or during special occasions, staff members may be permitted to dress in a more casual fashion than is normally required. On these occasions, staff members are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing or athletic wear. Likewise, tight, revealing or otherwise workplace-inappropriate dress is not permitted

    c. From time to time, special short-term assignments may warrant a deviation from this policy. Department Heads will make such a determination, which shall be for a specified time period.

d. Temporary medical conditions may likewise warrant specific exemptions for specified periods of time. Permanent or long-term medical conditions which prohibit an employee from wearing the attire normally required by his position may cause that employee to be considered ineligible to continue in that position.

C. Reasonable accommodation of religious beliefs - The City recognizes the importance of individually held religious beliefs to persons within its workforce. The City will reasonably accommodate a staff member's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Accommodation of religious beliefs in terms of attire may be difficult considering safety issues for staff members. Those requesting a workplace attire accommodation based on religious beliefs should be referred to the human resources department.

D. Business professional attire (for executive/professional personnel when required)

1. For men, business attire includes a long-sleeved dress shirt, tie, and tailored sport coat worn with dress trousers (not khakis) and dress shoes.

2. For women, business attire includes tailored pantsuits, businesslike dresses, coordinated dressy separates worn with or without a blazer, and conservative, closed-toe shoes.

3. Traditional business attire

   a. Traditional business attire is expected of all employees. Basic elements for appropriate and professional business attire include clothing that is in neat and clean condition.

   b. Appropriate workplace dress does *not* include clothing that is too tight or revealing; clothing with rips, tears or frays; or any extreme style or fashion in dress, footwear, accessories, fragrances or hair.

4. Although it is impossible and undesirable to establish an absolute dress and appearance code, the City will apply a reasonable and professional workplace standard to individuals on a case-by-case basis. Management may make exceptions for special occasions or in the case of inclement weather, at which time employees will be notified in advance. An employee who is unsure of what is appropriate should check with his or her manager or supervisor.

   a. Casual or dress-down days
      - When approved by the City Manager to permit casual or dress-down days, employees must use the following guidelines table to define appropriate casual attire.

Appropriate	Inappropriate
Slacks	

• Khakis or corduroys • Jeans (must be clean and free of rips, tears and fraying; may not be excessively tight or revealing; no tears or holes)	• Sweatpants, leggings, exercise wear • Shorts: low-rise or hip-hugger pants or jeans • Skorts, capris, stirrup pants
Shirts	
• Polo collar knit or golf shirts • Oxford, button-down, dress shirts • Company logo wear • Short-sleeved blouses or shirts • Turtlenecks • Blazers or sport coats • Jackets or sweaters	• Shirts with writing, emblems, or advertising (other than city logo or small shirt brand logo) • T-shirts, hoodies, or sweatshirts • Beachwear • Cut-off sleeveless blouses or shirts • Exercise/athletic wear • Crop tops, clothing showing midriffs, tank-tops or spaghetti straps
Shoes	
• Boating or deck shoes, moccasins • Casual, low-heel, open-back shoes (e.g., mules, sling backs)	• Sandals, thongs, flip-flops, open-toe footwear • Athletic shoes, tennis shoes, 'Croc'-like sandals

b. Uniforms Policy - To ensure City customer-facing employees who are engaged in service and or public work functions are clearly identified as representing the City. It is City policy that the City Manager and/or the Department Head shall determine which jobs and classifications of jobs are to be classified as uniformed employees. Personnel who are subject to a high degree of wear and tear on clothing in the course of their normal job activities, such as most field employees, are normally issued uniforms process managed by the City's Central Purchasing Department policy. Public Safety employees are issued uniforms for this reason and to increase their visibility and recognition when out among the public.

c. Standards of use - The following shall apply for all uniformed personnel

- Those required to wear uniforms are to wear them to work every workday, unless specifically exempted by the Department Head.

- The term 'uniform' shall include anything required as part of the uniform, to include badges, patches, name tags, etc., as specified. Department Heads shall inform employees of the proper wearing of the uniform. These things are considered part of the uniform and are always required to be worn as specified.

- Uniform shirts will always be buttoned and tucked in.

- If uniform trousers or pants are issued, they are required to be worn; if no trousers or pants are issued, uniform shirts are to be worn with long pants of the type specified by the Department Head. Pants are to be free of rips, tears, and holes. When pants are worn, ripped, torn, or excessively faded, they must be replaced through Purchasing Depts process.

- Uniformed employees are likely to have special footwear requirements due to the nature of the job. Whether it is issued or is to be supplied by the employee, footwear worn on the job is to be of the type specified by the Department Head.

- Hats are issued to some employees as part of the uniform. Uniformed employees not issued hats may wear their own hats. All hats worn while on duty must not have any promotion, logo, or advertisement, other than the City's logo.

- Acknowledgment of Termination Process - All uniformed non-civil service employees are required to sign an agreement to return all uniforms on the effective date of their separation. The agreement will state that failure to return all uniforms will cause final issuance of pay, to be withheld until such time as all uniforms are returned.

d. Addressing workplace attire and hygiene problems

- Violations of the policy can range from inappropriate clothing items to offensive perfumes and body odor. If a staff member comes to work in inappropriate dress, he or she will be required to go home, change into conforming attire or properly groom, and return to work.
- If a staff member's poor hygiene or use of too much perfume/cologne is an issue, the supervisor should discuss the problem with the staff member in private and should point out the specific areas to be corrected. If the problem persists, supervisors should follow the normal corrective action process.

POLICY 360 - DRIVER'S LICENSE STATUS AND RECORDS CHECKS

A. Policy Statement - It is the policy of the City of Del Rio that all job applicants to any City position present a valid State (USA) issued driver's license to comply with federal regulations regarding eligibility to work in the United States and to verify the vehicle operation eligibility of the applicants should the position have required driving.

B. The Human Resources Department will at the time of the City's conditional offer of employment and if hired annually thereafter, check the driving records of all applicants or employees who drive or will drive City vehicles as part of their jobs.

    1. Any employee found to have outstanding warrants or fines are required to clear these in order to continue employment with the City.

    2. Any applicant found to have outstanding warrants or fines will be considered on a case-by-case basis depending of severity, department applied too, and legal status of the offence(s).

C. Any employee who is found to have an unsatisfactory traffic record is subject to reclassification to a non-driving position that may include demotion in group or step and adjustment in wages, or disciplinary action up to and including termination.

D. Loss of Employee Driver's License/Certification

    1. Employees holding job-related licenses or certifications are required to report suspension, revocation or non-renewal of their license or certification to their immediate supervisor immediately upon notification. Failure to report this information will result in immediate termination of employment.

    2. If the license or certification is a requirement of the job, the employee will be immediately removed from that position and placed in a vacant position within that department that does not require the affected license/certification. If a vacancy does not exist, the employee will be terminated.

POLICY 365 - SUPERVISOR STANDARDS AND RESPONSIBILITIES

A. Policy Statement
   a. A supervisor is expected to manage their employees' performance. Leadership styles may vary, and supervisors may utilize the style that works best for them. Regardless of style, however, the key elements of a successful supervisor are communications, teamwork, role modeling, and accomplishments.

B. General
   a. As management representatives, supervisors will be held to a high standard of respect and courtesy, and other standards of conduct. Supervisors are expected to be examples for others to follow.
   b. Supervisors are expected to be familiar with laws and ordinances, and city and department policies, procedures, and guidelines as well as MOUs applicable to the employees they supervise.

C. Primary Functions of a Supervisor
   a. The primary functions of a supervisor may include but are not limited to the following:
      i. Identify and communicate workplace goals, objectives, methods, processes, resources, and/or action plans.
      ii. Communicate specific job assignments and tasks, including timelines and objectives.
      iii. Oversee the implementation of the direction given to individual employees.
      iv. Set expectations for employee attendance and review and/or approve employees' time for payroll.
      v. Recognize employee and work group successes.
      vi. Listen to and seriously consider employee suggestions and recommendations.
      vii. Supervisors should not regularly ignore or set aside supervisory responsibilities due to non-supervisory duties.
   b. Supervisors are encouraged to address work-related concerns and complaints informally with those involved at the local level, as early as possible. When supervisors learn of employee concerns or complaints, they should attempt to address them in a respectful, responsive, and timely manner.
   c. If a supervisor is informed of an allegation that a city employee violated the City's policies against sexual harassment, sexual misconduct, or discrimination or discriminatory harassment based on a protected status, the supervisor must promptly notify the Human Resources office. This obligation to notify applies to allegations that any city employee violated one of these policies, even if the employee does not report to that supervisor. In addition, if the supervisor is informed of any allegations of other policy violations (that is, not involving protected status), the supervisors should inform their departmental or HR office.
   d. Supervisors may not require employees to work on their personal or nonprofessional affairs, nor may employees be required to perform personal services, except where inherent in the nature of the position and defined in the position description.

D. Employee Privacy
   a. Supervisors will respect the privacy concerns of the employees they supervise.
   b. Supervisors must understand and comply with medical privacy requirements.

c. Supervisors should conduct any necessary counseling of individual employees in a private setting, as appropriate.

E. Departments can implement departmental processes or practices addressing supervisory responsibilities consistent with this policy and other applicable statutes, ordinances, policies, and procedures. These may include but are not limited to:
    a. Recordkeeping requirements associated with employee supervision within the department, as set forth more specifically in Section VII, below.
    b. Chain-of-command/supervisory span of control within each department.
    c. Processes to ensure constant vigilance regarding workplace safety and reporting of concerns to designated and appropriate staff.
    d. Processes to facilitate the resolution of workplace disruptions.

F. Education and Training of Employees
    a. Supervisors should be familiar with and encourage employee participation in the courses to ensure that employees receive necessary training regarding the skills associated with an employee's assigned duties and applicable city ordinances, policies, procedures, and guidelines and departmental policies, procedures, practices and processes.
    b. Supervisors are encouraged to support each employee in their career development, as appropriate.

G. Employee Performance Management
    a. General - Supervisors are expected to oversee their employees' performance – managing and evaluating work, providing feedback, recognizing work well done and addressing unsatisfactory performance – and to provide opportunities for professional growth and development.
        i. Performance management is an ongoing communication process that involves the manager, supervisor, and the employee in identifying and describing essential job functions and relating them to the city's mission and organizational goals.
        ii. The city expects supervisors and managers to provide meaningful and objective job-related feedback to employees on a regular basis and to document such feedback.
        iii. Managers, supervisors, and employees should, where practical and appropriate, develop individual employee goals that relate to the city and department business plan, goals, and values.
        iv. The city expects managers, supervisors, and employees to work together to identify key job-related competencies and to create meaningful employee performance plans. e. Because continuous learning is a prerequisite to successful job performance and organizational effectiveness, the performance management process should include plans for employee training and development.
        v. The human resources department will work with city leaders to develop procedures, forms, schedules, and timelines for a performance management system. Department managers will work with human resources to adapt the performance management system to their needs and goals.
    b. Private Records
        i. Employee performance management documents shall be classified as private records under the Human Resources records management policy.

ii. Completed performance management records and logs will be sent to human resources to be placed in the official personnel file. In accordance with city policy, the city expects supervisors to provide meaningful and objective job-related feedback to employees on a regular basis.

H. Records
   a. Department directors should implement department practices and processes for supervisors to maintain records that may include:
      i. Training and education of employees.
      ii. Employee recognition.
      iii. Specific job or task direction given to an employee or workgroup.
      iv. Employee suggestions.
      v. Resource support requests (such as funds, training, materials, personnel) from employees.
      vi. Supervisor job performance evaluations.
      vii. Non-disciplinary and disciplinary intervention records.
   b. When created and maintained in a city department, the following employee records should be forwarded to human resources for inclusion in an employee's official personnel file:
      i. Written commendation or recognition (optional)
      ii. Performance or similar evaluations.
      iii. Disciplinary letters issued in accordance with city policies and procedures. Records of non-disciplinary intervention should not be forwarded or maintained in the official personnel files.
   c. Documents containing employee medical information should be sent to human resources for inclusion in the employee's medical records file.

I. Disciplinary Authority
   a. Department directors should ensure compliance with this policy by all supervisors in their departments and must provide supervisory skill training, as needed.
   b. Supervisors who fail to comply with this policy may be disciplined in accordance with the city's discipline guidelines.

POLICY 370 – CODE OF CONDUCT AND CORRECTIVE ACTIONS

A. Policy Statement - It is the City's policy to ensure orderly operations and provide the best possible work environment, to expect employees to follow rules of conduct that will protect the interests and safety of all employees and the City. Employees while on duty are individually responsible for conducting themselves in a professional and ethical manner and for treating coworkers and members of the public with dignity and respect. The intent of this policy is to make a clear statement that unprofessional and abusive behavior will not be tolerated in the workplace. Violations of any portion(s) of this policy are subject to disciplinary action up to and including termination with or without a progressive discipline process.

B. Employee Loyalty - All City of Del Rio employees are expected to act with the best interests of the City of Del Rio as their objective. This means that employees are prohibited from acting as, or on account of, an adverse party without the City's consent. This also means that all employees are expected to deal fairly with the City of Del Rio and to not use or disclose confidential or proprietary information in a manner adverse to the City.
    1. Examples of the foregoing information include attorney-client privileged communications or economic development plans still under negotiation. These obligations continue even after an employee leaves his or her employment with the City of Del Rio.

    2. Employees are expected to be faithful to the City of Del Rio and are prohibited from violating the trust and confidence placed in them by acting in a manner adverse to the City. This policy is intended to address those employees who act with the improper motive of adversely affecting the City.

C. Courtesy and Professionalism - Employees of the City are bound by their employment to give excellent customer service to the citizens of Del Rio. All employees shall treat every citizen with courtesy and respect, whether dealing with people face to face, on the telephone, or in writing. All employees are an important source of good will for the City. As a City employee, whether in uniform or not, whether behind a desk or in the field, your voice and your actions reflect your attitude.

    Additionally, City employees are expected to be consistent in their application of City rules and requirements. To best serve customers, it is helpful to understand their expectations and to be aware of common causes of customer frustration. Common causes for customer frustrations are: unmet expectations, upset at someone or something, feeling that no one seems to listen or care, believing that services have not been delivered as expected, broken promises, being treated rudely, inconsistent or inaccurate information from City employees, and unfamiliarity with City procedures/ordinances. Customers should always be taken seriously, treated with respect, given adequate, necessary and correct information, and to be able to speak to someone who will assist in addressing their concern.

D. Customer Service - Following the steps below should be utilized by all City employees in making a professional impression and providing excellent customer service;
E. Answer the telephone promptly. When you must be away from your desk, arrange for someone else to answer your phone. No citizen calling any City office should find a phone unanswered during business hours.

F. Promptly assist anyone who comes into your work area. If you must finish a task or a conversation before you can help, let the person know; address him or her, stating

something like, "I am helping another citizen right know. If you would please take a seat, I will be glad to help you next. It should be no longer than a few minutes."

G. If an individual is unable or unwilling to wait, offer an appointment, or direct them to another office where some other employee can help.

H. When receiving requests that do not apply to your department, tell the caller/customer that you will transfer the call to the appropriate department. Stay on the line and you will talk to the person to whom you intend to transfer the call, to be sure you have the right person. Never transfer a caller without announcing that you are doing so; no employee should leave a caller with the feeling that he/she is "getting the run-around."

I. Your attitude and manner of speaking express to the customer a point of view, meaning, or feeling. Be positive and courteous. Be patient. Do not interrupt the customer. Give the customer ample time to explain the issue. Project an air of interest, concern and genuine desire to help the customer.

J. Employees should always be aware that, beyond working for a certain supervisor or a certain department, we all work for the City of Del Rio. Everything an employee does reflects on the City, and everything the City does is part of your work.

K. Correction Action
   1. It is the policy of the City of Del Rio to foster communication, cooperation, and consideration among all its employees. This philosophy is even more important in times of trouble. Supervisors will give every employee the knowledge and opportunity to correct performance deficiencies as they are noted. Problems should be dealt with as they arise, and corrections shall be based on the seventy of the problem. While it is the City's position that time and training can correct most deficiencies, the City reserves the right to immediately dismiss any employee who blatantly disregards instructions, endangers others, or commits theft or fraud. Civil Service employees follow Chapter 143 for rules and regulations for disciplinary correctives.

L. Guidelines only - It is important to note, the information within this section are suggested guidelines only. **The City does not have a formal progressive discipline policy**. Counseling is not required to be given to an employee before the employee may be suspended, demoted or dismissed for performance issues, or for misconduct. The City, in its sole discretion, determines the appropriate discipline, depending on the circumstances.

M. Counseling, Discipline and Termination - Generally, an employee who exhibits substandard work or other job performance deficiencies should first be counseled by his or her immediate supervisor or Department Head. The employee should be informed of the exact problem, the type of improvement needed, the time frame in which improvement must occur, and disciplinary action which will occur if the improvement does not occur as required. Supervisors must document this counseling in writing, and the employee should sign for the copy and be given a copy and an opportunity to respond.

N. If the employee fails to improve or otherwise correct the performance deficiency or substandard work, the Department Head may suspend, demote, or dismiss the employee. The details should be documented in writing; the employee shall receive a copy and be allowed to respond. The written report shall include specific actions to be taken, with dates

and deadlines as appropriate. A copy shall also be sent to the Human Resources Department.

O. In the interest of maintaining good working conditions, employees are expected to observe the City's policies, procedures and rules, including, but not limited to, the policies set out in this Personnel Policy Manual. Cause is not required for termination or other disciplinary action, and violation of any of the City's policies, procedures and rules will result in termination or less severe disciplinary action at the sole discretion of the City.

P. In deciding what action should be imposed for violation of City policies, procedures and rules, the City will take into consideration all the circumstances involved, as well as the employee's overall work record.

Q. The following represents only a partial list of unacceptable behaviors and conduct for which infractions, whether on-duty or off-duty, will lead to corrective action up to and including immediate termination of employment:

1. Discourteous treatment of Submitting a false employment application, time records, personnel, or other City documents, reports, or records
2. Gambling, carrying weapons or explosives, or violation of any criminal law on City premises, vehicle, equipment, or property.
3. Fighting with other persons, throwing things, horseplay, practical jokes, or other disorderly conduct which endangers the well-being or efficiency of any person, City property, or another property of any person.
4. Engaging in acts of dishonesty, fraud, theft or sabotage toward the property of the City or others.
5. Lying
6. Possession, distribution, sale, transfer, use or being under the influence of illicit substances, illegal drugs, or intoxicants while on the job in violation of City policy.
7. Intentional bodily harm or injury to any citizen.
8. Unauthorized absence or repeated tardiness in violation of City policy.
9. Insubordination, disregarding, or refusal to do assigned duties or report to work, comply with instructions or failure to perform reasonable duties, which are assigned
10. Abuse or misuse of sick leave or other benefits
11. Theft of time, materials, equipment, supplies, and/or misappropriation of funds
12. Damaging or destroying City equipment, vehicles, computers, tools, machines, or supplies through careless or willful acts.
13. Unauthorized use of City materials, time, equipment, or property
14. Conviction including after a plea of *nolo contendre* of a felony or misdemeanor involving moral turpitude
15. Illegal or otherwise inappropriate conduct which occurs in the workplace, while on duty, while operating a City vehicle or equipment
16. Illegal or otherwise inappropriate conduct, on or off duty, which causes the employee not to be able to effectively perform his or her essential job duties and/or responsibilities, or negatively affects the public's perception of the employee being able to effectively perform his or her essential job duties and/or responsibilities
17. Failure to report a suspended or revoked motor vehicle operator's license (i.e., driver's license), when required by applicable job description
18. Use of an employee's position to demand special favors for personal gain
19. Failure to follow fire, accident, and safety guidelines or rules
20. Inciting or engaging in strikes or riots, involving the City, during working hours

21. Any three (3) documented instances of counseling or discipline within a 12-month period
22. Any fighting, threatening violence, boisterous or disruptive behavior, agitating others to fight or become violent, intimidating behavior, coercive behavior, loud arguing, inappropriate, vulgar, or abusive language, harassing behavior, or any other form of violence, or any behavior which may be perceived as such.
23. Discourteous or disrespectful treatment of other persons
24. Violation of departmental rules, regulations, and/or code of conduct, this policy handbook, the City's Drug Free Workplace Policy, the City's Drug Testing Policy (if the employee is in a department of classification or department where employees who are covered by that Policy) or the City's Harassment in the Workplace Policy

This list in not all-inclusive, and misconduct not listed may result in discipline, up to and including termination. The City, in its sole discretion, will determine whether misconduct has occurred and the appropriate method of handling it, including counseling and written documentation when deemed necessary.

POLICY 380 - EMPLOYEE GRIEVANCE

A. Policy Statement - All regular employees who feel they have experienced discrimination, or have a work-related grievance concerning the meaning, application, and/or interpretation of the specific work rules, regulations, or policies affecting the employee, and is not related to a corrective action may file a grievance in the procedure listed below. This rule applies to non-civil service employees only. Civil Service employees follow procedures with Chapter 143 of the Local Government Code, Local Rules and Department Rules**.**

B. Procedure

1. Employees who are <u>not</u> supervised by the Assistant City Manager or City Manager shall proceed as follows;

   a. Submit the grievance in writing to their Department Head within 5 (five) business days of the concern regarding the meaning, application and/or interpretation of specific work rules(s). The Department Head shall, within 5 (five) business days after receipt, respond in writing stating the determination to affirm, modify, or revoke the work rule. A copy of the response shall be given to the employee and forwarded to Human Resources.

   b. If the employee considers the grievance to the Department Head to be unresolved, they may submit the grievance to the Assistant City Manager within 5 (five) business days after receipt of the Department Head's written response. Unless circumstances require otherwise, within 5 (five) business days after receipt of the grievance the Assistance City Manager shall give a written determination to the employee and forward a copy to Human Resources. The determination of the Assistant City Manager shall be final, and the decision forwarded to Human Resources.

2. Employees supervised by the Assistant City Manager, shall file their grievance with the Human Resources Director following the timeline outlined in section b of this policy. The written determination of the Human Resources Director will be provided to the employee and will be final.

3. Employees supervised by the City Manager, shall file their grievance with the Human Resources Department and following the timeline in the section b of this policy. The HR Director will send the grievance to a team consisting of the Assistant City Manager, the HR Director, and the City Attorney. The written determination of the team will be provided to the employee and will be final.

4. Exclusive Remedy and Process - As to the matters covered by this policy, an employee or former employee shall not be entitled to assert any claim for other or further relief than that provided herein. The remedies and procedures stated in this policy are the sole and exclusive remedy or recourse.

POLICY 390 – WORKPLACE / JOBSITE HEALTH AND SAFETY STANDARDS

A. Policy Statement - It is the policy of the City of Del Rio that the health and safety of its employees is of utmost importance. Safety is a team effort, and employees shall observe safe operating practices at all times and in all activities, whether those safe operating practices are official policies of the City, recommendations of the manufacturer of a product or piece of machinery being utilized in the performance of City work, or matters of common sense.

1. The City cannot tolerate employees who use unsafe practices, because they endanger not only that employee, but other employees and, potentially, uninvolved third parties.

2. Willful failure to follow established safety guidelines will be grounds for immediate dismissal.

3. The City of Del Rio's Safety Plan Policy is included in this policy handbook. The entire policy plan is also available online on the City's website, in every City Department Office, and the Human Resources office.

POLICY 400 - SMOKE FREE / TOBACCO FREE WORKPLACE

A. Policy Statement - The City of Del Rio has adopted Ordinance O:87-09B which authorizes the City Manager to develop and implement a policy that regulates the uses of tobacco in public buildings. The following policy is established to adopt a healthy working environment for the City's employees as well as to provide a pleasant environment for the public.

Compliance of this policy is mandatory for all City employees and appropriate actions, including disciplinary action up to and including termination, may be employed to ensure compliance.

B. Employee Assistance - The City of Del Rio has several programs that are available to assist City employees having difficulty in complying with this policy. There programs may be accessed by contacting the City's EAP contracted service so the employee may seek help with tobacco use cessation programs. Contact HR for telephone numbers and contact information.

C. General Information

1. The City of Del Rio Code of Ordinances (Chapter 14, Article II) establishes specific smoking regulations for the City of Del Rio, including City employees and City workplaces.

2. The City of Del Rio has adopted the following rules for public facilities and city personnel to be in reasonable compliance with the ordinance.

3. This policy addresses smoking and the use of all tobacco products in, on or around any City building, facility, vehicle, or apparatus.

4. A smoke-free workplace must be available to all employees; therefore, smoking areas and smoke-free areas shall be designated for all City buildings and facilities.
    a. Smoking areas include, outdoor patios, outdoor service bays and/or outdoor facilities, that are not in vicinity of hazardous, dangerous, explosive or flammable items or liquids.

5. Smoke-free areas
    a. All City of Del Rio facilities, work areas, shop areas, offices, buildings, structures, fueling areas, while operating any City of Del Rio heavy equipment, trucks, cars, vehicles of all type, size, or kind.
    b. Common areas in which more than one employee or any private citizen may utilize or enter (i.e. office, reception areas, lobbies, conference rooms, employee lounge, recreation rooms, areas, and similar rooms, offices and areas in any municipal building or facility, etc.)

6. Smoke-less tobacco products
    a. The user of smokeless tobacco (dipping or chewing) shall be allowed under the following conditions:

    b. Persons using smokeless tobacco products shall be responsible for properly discarding the used tobacco biproducts and the clean-up of any mess

occasioned thereby. Users of smokeless tobacco products must be respectful of coworkers who may find this activity objectionable if not offensive. Any containers used as receptacles for smokeless tobacco spittle shall be clearly marked as such and shall not be placed on any counter or tabletop used for food preparation or eating at the workplace.

c. The use of smokeless tobacco products shall not be permitted in city vehicles where any occupant objects to its use.

7. Department Requirements - Department/Division Heads are responsible to ensure that the appropriate signs are placed at the entrances to their respective city facilities and buildings in compliance with City of Del Rio Code of Ordinances, Chapter 14, Article II, Section 14.

    a. The signs shall include the universal symbol and wording to indicate that smoking is prohibited or permitted in designated areas.
    b. Signs shall read, “No Smoking, City Ordinance O:87-09B. No Smoking Except in Designated Areas. Smoking is Prohibited in this Building”
    c. Department/Division Heads shall insure that facilities for the extinguishing of smoking materials are provided in sufficient numbers and at such locations as to be readily accessible.

8. Employees Responsibilities - Any employee may report violations of this policy, or the failure of a supervisor to ensure compliance with this policy in an area for which they are responsible directly to the Department Head or member of the City HR Office. A report may be made verbally or in writing and may be anonymous. The report must include the location and circumstances involved and the name(s) of the persons not in compliance with this policy. An appropriate investigation will be conducted by City HR or a designee, and if necessary, the appropriate corrective action taken.

POLICY 410 - WORK BOOT/SHOE

A. All employees who work in areas where heavy equipment, power equipment, tools that are heavy, work in any environment where heavy objects may fall, or where any danger of foot injury has been found or possible, or a danger of injury to any employees feet is possible; will be required to wear steel toe safety boots/shoes. The head of each division will determine which employees must wear safety boots, or which employees may use safety shoes.

B. Once it has been determined that the job requires the wearing of safety boots, employees must wear the boots whenever on the job. In order to allow employees to choose safety boots/shoes which employees find comfortable to wear all day; employees must purchase his/her own safety boots/shoes at his/her expense. Employees may purchase safety boots/shoes preferred, if they meet the American Society for Testing and Materials (ASTM F2413-05) Standard Requirements for Protective Footwear.

C. Each employee will be reimbursed a maximum of $75.00 once every twelve (12) months from the date of the last purchase.

D. If the safety boots/shoes cost more than $75.00, employees will receive only the $75.00 reimbursement. If the safety boots/shoes purchased cost less than $75.00, employees will be reimbursed only the actual amount of the purchase.

E. Employees must turn in to the supervisor the original receipt and proof that the boots meet the meet the current American Society of Testing Materials (ASTM) standards.

F. Safety boots or shoes not meeting the ASTM Standard Requirements for Protective Footwear shall not be eligible for reimbursement

G. Supervisors are required to process the proper reimbursement process as determined by the Finance Department within five (5) days. Employees will receive reimbursement in the form of a check from the Finance Department within 15 days after turning in the receipt to their supervisor.

H. No employee will be allowed to work without safety boots/shoes. Employees who are required to wear safety boots, and comes to work without these, will be subject to the disciplinary action.

POLICY 420 – WORKPLACE VIOLENCE

A. Purpose and Scope – To establish a zero-tolerance standard with respect to acts of intimidation, threats of violence or acts of violence against co-workers, visitors, customers, or any other persons who have contact with City employees in the course of performing work duties.

B. Definitions

1. Act of Violence- An intentional act that causes bodily harm, however slight, to another person or damage to the property of another.
2. Imminent Danger- The appearance of immediate danger by an individual who looks to be capable of and ready to cause serious injury or death to others.
3. Intimidation- Any intentional act towards another person, whether verbal or nonverbal, in person or via electronic communication, that causes that person to reasonably fear for his/her safety or the safety of others.
4. Non-imminent Danger- Any communication signaling the intend to commit an act of violence.
5. Threat of violence. Any verbal or nonverbal act that places a person in reasonable fear of bodily harm or damage to property.

C. Policy - The City of Del Rio prohibits any acts or threats of violence in the workplace by any City employee against any other person including coworkers and third parties who come into contact with the City workplace and its personal. A violation of this policy is subject to corrective action up to and including termination.

D. Any city employee who is subjected to an act of intimidation by another city employee shall immediately report such behavior to his/her supervisor and/or management.

E. Workplace Violence- Workplace violence includes, without limitation, directing abusive language, profanity, curses and vulgarity at a person; throwing objects, regardless of size or type, and regardless of whether any specific is a target of the flying object; unwanted touching in any form; lewd acts; and, generally, hitting, slapping, poking, pinching, grabbing, and pushing members of the workforce.

POLICY 430 - WEAPONS AND CONCEALED HANDGUNS IN THE WORKPLACE

A. Purpose -To provide a safe workplace and environment for all employees and persons on City property and worksites and in accordance with state law; establish a policy prohibiting possession of weapons to include concealed handguns on City property and worksites by employees. All City employees must adhere to all guidelines outlined in this policy. Violations of this policy shall be considered failure to follow instructions and shall be grounds for disciplinary action.

B. Definitions - a weapon means, but is not limited to, any gun, explosive device, knife, club, chemical or other item that can cause serious bodily harm as delineated and defined by Texas Penal Code §46.01.

C. Responsibilities -Departments are responsible for disseminating the City's Weapons and Concealed Handguns in the Workplace Policy to all employees who must sign a receipt acknowledgment (see attachment). All supervisors are responsible for enforcing this policy as outlined by the Department Head or designee.

D. Prohibited Conduct: No employee shall have, bring, carry, or possess on or about or near his or her person, any firearm, prohibited weapon, (as defined by the Texas Penal Code), or explosive or incendiary device while at, on, or in any building, structure, vehicle, or other property owned or leased by the City of Del Rio (public driveways, streets, sidewalks, or walkways, parking lots, garages, or other parking areas are exempt).

1. The foregoing prohibition applies to and includes all firearms and other devices described above, whether openly carried or concealed, without regard to whether it is classified as a handgun or long gun, and regardless of whether the employee has a state issued permit authorizing the concealed carrying of a handgun
2. All City employees, whether on duty or off duty, when they are on City owned or leased property (public driveways, streets, sidewalks, or walkways, parking lots, garages, or other parking areas are exempt) are subject to this policy.

E. Exceptions.
1. All firearms and other devices described above, whether openly carried or concealed, that are carried in the course and scope of the employee's duties, authorized by appropriate authority, and is work related.
2. Cigarette lighters and matches.
3. Employees who hold a valid State issued concealed handgun carry license may store their firearm and/or ammunition in a locked, privately-owned vehicle while on a City of Del Rio parking lot.
4. Duly employed, full time magistrates, peace officers, railroad peace officers, or special investigators, as defined by Texas State law, and employees working in the immediate presence and under the direction of any the foregoing public officials.

F. Searches of Employee Personal Property- While an employee is on City Property, the employee's personal belongings such as purses, briefcases, gym bags, satchels, and similar containers, may be searched if there is a reasonable suspicion that the employee is in possession of a weapon capable of causing serious bodily harm.

G. Reporting - No employee shall be subjected to criticism, reprisal, retaliation, or disciplinary action in his/her good faith reporting of suspected violations of this policy.

H. Disciplinary Action - Any employee who engages in conduct prohibited by this policy shall be suspended or terminated depending on the circumstance and the gravity of the violation. An employee who refuses to allow a search under paragraph E, however, shall be terminated.

POLICY 440– VEHICLE/EQUIPMENT ACCIDENT/COLLISION

A. When involved in a vehicle or equipment accident/collision, each City employee operating a City vehicle or equipment and each City employee operating a personal vehicle in the course of transacting City business is required to do the following:
   1. Notify local law enforcement authorities;

   2. Immediately notify his/her supervisor;

   3. Remain at the scene of the accident until released by competent authority.

   4. Obtain names and addresses of the other party and any witnesses.

   5. Do not discuss the accident with anyone at the scene except law enforcement officers.

   6. Under no circumstances, give statements or talk with anyone about the accident after leaving the scene without first obtaining approval from the Department Head.

   7. Do not sign or place a signature upon any papers or documents related to the accident, except for official police reports and ticket citations, without prior approval from the Department Head.

   8. Complete and submit the required Claim Notice found on the City of Del Rio website under the HR Department.

   9. If applicable, submit to a City post-accident drug and alcohol test.

B. When a vehicle or equipment accident/collision occurs, the Supervisor shall:
   1. Notify the Police Department if the vehicle operator has not already done so.

   2. Notify the Human Resources Office immediately during regular duty hours. After hours, accidents resulting in death or severe personal injuries shall be reported to the Human Resources Director immediately.

   3. If feasible, the supervisor should go to the scene of the accident. Approach the accident with permission of officials first and request to assist in the investigation. Take pictures of the accident scene as required.

   4. Notify the Human Resources Department immediately for possible drug and alcohol testing, such as that testing already established for the Transportation Department and Gas Department.

   5. Complete and submit the Claim Notice Form and a City of Del Rio Police Department Accident Report to the Human Resources Department not later than twenty-four hours after the accident.

   6. If the employee was injured, complete the appropriate worker's compensation forms.

C. Violations of Vehicle Usage

1. In keeping with its long-standing commitment to employee safety, it is the policy of the City of Del Rio that city owned vehicles are properly used and maintained. Those in supervisory or managerial positions are responsible for taking proper action to ensure that established guidelines and procedures are observed.

2. Failure to comply with the provisions of this policy will result in appropriate counseling and if necessary, the additional appropriate corrective action taken.

POLICY 450 – SEPERATION OF EMPLOYMENT

A. Policy - It is policy of the City of Del Rio that persons who leave employment have certain obligations and may be entitled to certain benefits. The way employees leave employment and the length of time served affect what happens when leaving. Employees should read this section carefully and be aware when wishing to retire or looking for another and be knowledgeable about things like insurance and retirement benefits.

B. Classification of Separations
    1. Resignation - is a separation initiated by an employee. In order to resign in good standing, an employee shall notify his supervisor in writing of his intention to leave City employment, at least two weeks before the employee's intended last day of work. At a minimum, the resignation notice shall include the date of notice, the effective date of resignation, and the reason(s) for resignation. This applies to all types of employees, resigning for any and all reasons, including retirement. After reviewing the resignation, supervisors should forward it to the Human Resources Director accompanied with a Personnel Action Form and make arrangements with the Human Resources Office for the employee to be checked out of his employment.
    2. Employees resigning in good standing are eligible to receive separation pay. Please reference “Separation Pay and Benefits” section for further clarification.
    3. An employee who gives less than two weeks' notice shall not be considered as having left in good standing and is not eligible to receive separation pay.
    4. Retirement - is a separation initiated by an eligible employee. In order to retire from the City of Del Rio, an employee must meet the eligibility age and years of service requirements. For more information on retirement, please see the Human Resources Department.
    5. Abandonment of Position - As stated in the “Attendance and Punctuality” section of this policy handbook an employee who fails to report to work for three (3) consecutive workdays without notice to his/her supervisor, may be considered to have abandoned or resigned the position causing a separation from the workplace. Notice of separation and its reasons shall be sent to the employee’s address by the Human Resources Director. A reasonable effort shall be made by the employee’s supervisor to contact the employee to determine the reason for the absence and make an appropriate decision regarding continued employment. Where a separation is found to be appropriate under the circumstances, the employee will not be entitled to any separation benefits or reemployment consideration. The employee will be considered as having terminated employment, will be processed accordingly, and documented as not being in good standing.
    6. Separation During Probation or Orientation Period - An employee may be separated during the probationary period for failure to meet performance expectations, or demonstrate unacceptable attitude, conduct or dependability. Where an employee is separated during the probation/orientation period, the employee will not be entitled to any separation benefits.
    7. Termination - Terminations may be initiated by the City of Del Rio in the course of disciplinary action for misconduct, violation of policies and procedures, or poor performance. The City of Del Rio is not obligated to provide any advance notice of termination. Terminated employees are not entitled to any separation benefits or reemployment consideration.

C. Return of City Property - All resigning and/or terminated employees are required to surrender any and all property in their possession that belongs to the City on or before the employee's last day of work. Such property may include, without limitation, uniforms, keys to vehicles and offices, personal protective equipment, cell phones, and books or manuals, & etc. The Department Head will ensure that tools and equipment are returned before the employee's last day. Employees may find their final paycheck withheld for failure to return City property. The City reserves the right to withhold a final paycheck until its property is returned. The City reserves the right to pursue collection for the value of City property if not returned within a reasonable time frame.

D. Exit Interview - Prior to leaving the employment of the City, the Human Resources Department will meet with departing employees in order to explain separation benefits, arrange for the return of City property, and to solicit constructive feedback to improve effectiveness and/or efficiency of City operations. This policy establishes uniform guidelines and procedures for conducting exit interviews of separating employees. This policy defines specific business unit responsibilities as well as Human Resources responsibilities. The Department or Division will - notify HR as soon as the employee provides verbal or written notification of impending resignation or retirement, or when the supervisor decides to discharge or lay off the employee.

POLICY 460 - REDUCTION IN FORCE

A. Policy Statement - The City of Del Rio values the contributions of employees and is committed to employ and retain a staff of highly qualified employees in order to provide excellent service to our citizens. In the event, however, it becomes necessary for the City to reduce the work force because of economic conditions, program considerations, department reorganizations, budgetary restrictions, the expiration of a grant or contract, or other financial urgencies brought about by declines in the City's financial resources, cuts in funding, or any other action which creates a need to reduce financial expenditures, it is this policy of the City of Del Rio, that establishes procedures to ensure fair and equitable treatment. When layoffs or terminations under this section are necessary, the City will follow the procedures set out below. The terms "layoff" "dismisses", or "terminate" are used interchangeably throughout this section and refer to the actions taken when effectuating a reduction in force due to cutbacks in budgets or changes in programs or departments or in positions.

   It is important to remember that Reductions in Force notices carry the presumption that individuals receiving them are valuable contributing members of the City of Del Rio who must be released only because of a change in circumstances as described below. It should be clear that Reductions in Force is not a method of terminating employees who have not performed in an acceptable manner. Reduction in force procedures will not be used as disciplinary actions. The purpose of this policy is to provide a rational, consistent, non-discriminatory, and orderly means for a reduction of the workforce.

   If available, every effort will be made to place affected employees in other open positions for which they may be qualified, and which are available. Employees affected by the layoff and eligible to retire will be given the option of early retirement.

B. Scope - This policy covers indefinite term reduction in force or reduction in time. Reduction in force is a management-initiated action resulting in the reduction or abolishment of a position or the reduction of personnel. Termination due to a reduction in force is considered a final separation from the City of Del Rio.

C. Applicability - This policy applies to all City of Del Rio employees.

D. Civil Service Employees - Force reduction for civil service employees will be governed by Chapter 143.085 of the Texas Local Government Code.

E. Authority and Responsibility - Reduction in Force action is the responsibility of the City Manager. The City Manager shall determine the order of layoffs and the individuals affected by the reduction in force and in so doing, shall consider all the factors set out in this policy. The City Manager shall also meet with the City Attorney and HR Director in order to take into consideration any recommendations regarding legal processes and with Department Heads as needed on the operating needs of their departments as part of the decision-making process.

F. Decision Making Process-When reductions in force are necessary, decisions on layoffs of employees shall be determined by any one (1) or a combination of the following factors:

- Employees willing to voluntarily retire, resign, or transfer; or
- Length of service; or
- Retirement eligibility; or
- Relative necessity of the position within the department; or
- Termination of employees performing discontinued or reduced services/programs/activities within the department; or
- Demonstrated work performance/skills/certifications of the employee.

G. Notice - The City will give every effort to provide the legally required Federal and State written notice of the layoff or termination. Notice will be delivered by the Human Resources Director. In addition to written notices, the Human Resources Director will meet with the Department/Division Head and the affected employee(s) to explain the process. Efforts to coordinate this process with State of Texas Workforce Commission will be done by the HR Department.

H. Payment of Leave Benefits - Employees separated from employment under this section will be considered to have left employment with the City in "good standing". As such, the employee will be entitled to the payment of accrued leave and other benefits extended to employees leaving in "good standing" under Compensation and Pay section of this policy

I. Separation Process - Employees leaving employment under thus section shall follow the procedures set out in Separation of Employment section of this policy for returning property, continuing any benefits they are eligible to receive, and the exit process.

J. Preferred Candidates - Employees who have received notice of employment loss because of reduction in force will be designated as a "preferred candidate" and will be given priority consideration for vacant positions. All preferred candidates must meet the minimum qualifications for the position and must apply for the positions through the same process as all other candidates. While personnel displaced as a result of a reduction in force are considered "preferred candidates," the City of Del Rio retains the right to make the final hiring decision. If qualified and chosen for the position, the new salary rate and length of service will be based on the beginning date and salary of the new job classification.

K. Appeals - A reduction in force is not a disciplinary action. Employees do not have the right to appeal their termination as n 10 of the City of Del Rio Personnel Policy Manual

POLICY 470 – NONDISCRIMINATION/ANTI-HARASSMENT POLICY

A. Objective - The City of Del Rio is committed to a work environment in which all individuals are treated with respect and dignity. Everyone has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, the City expects that all relationships among persons in the office will be business-like and free of explicit bias, prejudice and harassment.

B. The City has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination and retaliation. The City will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of such policies will be investigated and resolved appropriately.

   Any employee who has questions or concerns about these policies should talk with the Director of Human Resources.

   These policies should not and may not be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion to avoid allegations of harassment. The law and the policies of the City prohibit disparate treatment based on sex or any other protected characteristic, regarding terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

C. Equal employment opportunity
   It is the policy of the City to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law. The City prohibits any such discrimination or harassment.

D. Retaliation
   The City encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of the City to promptly and thoroughly investigate such reports. The City prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

E. Sexual harassment
   Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, "sexual harassment" is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo; and, b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

F. Harassment

Harassment based on any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

G. Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or by someone not directly connected to the City (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

H. Reporting an Incident of Harassment, Discrimination or Retaliation

The City encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor or any member of the human resources department. See the complaint procedure described below.

In addition, the City encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often this action alone will resolve the problem. The City recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

I. Complaint Procedure

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with their immediate supervisor or to human resources.

The City encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

The City will maintain confidentiality throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling or disciplinary action such as a warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as the City believes appropriate under the circumstances.

If a party to a complaint does not agree with its resolution, that party may appeal to the City Manager.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

POLICY 480 - WORKERS COMPENSATION POLICY

A. Policy Statement- This policy applies to all City of Del Rio employees except Civil Service employees, whether or not actively at work. Line of duty injuries by Civil Service employees will be handled according to Chapter 143.073 of the local government code. This also applies to Probationary employees except where specifically noted otherwise within this policy. If an employee is injured in the course of his or her employment and is removed from duty by a medical doctor, the employee will be paid worker's compensation benefits as established by the Texas Worker's Compensation Act. If a supervisor has any questions regarding how to code the first seven days of injury leave, please contact the HR Department.

1. Supplemental Pay Program- For employees injured on the job and a medical physician removes him or her from duty, they will be paid through the City's TPA (third-party administrator) TML Worker's Compensation program, as established by Worker's Compensation Law. The amount paid to employees under this program is equal to ~~a~~ 70% of the normal paycheck. To supplement the payment the employee receives from the Workers Compensation TPA, the City will continue to pay the employee 30% of their wages for a maximum of 90 calendar days while they are unable to work for a work-related injury and provides a physician's medical report, stating the employee remains unable to work.
2. Workers' Compensation does not provide any benefits for the first seven (7) calendar days. An employee who misses work due to an on-the-job injury, and whose injury will not require he/she miss more than seven (7) days of work, will be required to use his/her available paid leave, (sick leave, vacation leave, or compensatory time) in that order, for the hours he/she misses from work.
3. Time lost due to an injury or illness on and after the eighth day (8) of injury or illness will be reported on the employee timesheet as 70%- or 28-hours, Workers' Compensation leave and 30% or 12 hours of his/her available paid leave (sick leave, vacation leave, or compensatory time) in that order for non-civil service.
4. An employee will not accrue vacation, sick leave, holiday pay and other benefits for a pay period that he/she was reported as being on workers' compensation as a result of a job injury, illness or disease incurred while employed by another employer.
5. Employees on Workers' Compensation leave shall be allowed to receive wage continuation by utilization of accrued paid leave (sick leave, vacation leave, or compensatory time) in that order to receive 100% indemnity payments from the City of Del Rio. This is limited to 180 days for non-civil service and 365 days for civil service. An employee who exhausts all paid time off benefits shall receive only those benefits provided under the TPA worker's compensation plan. Part-time, temporary, and seasonal employees are not entitled to wage continuation.
6. While the employee's leave status is reported as Workers' Compensation only, the city will continue to provide the employee with health and dental insurance benefits in the same condition as if the employee was actively working. The employee must continue to pay applicable co-payments, deductibles, supplemental insurance premiums and other out of pocket expenses during this time. If applicable, employees on Workers' Compensation leave may coordinate a payment plan with Accounting/Payroll department. If the employee does not return to work, the full amount will be deducted from the employee's last check or will be paid upon separation from the city.
7. An employee who is on Workers' Compensation leave for a period of one hundred eighty (180) calendar days (of combined limited duty and total absence) and who is unable during this period of time to return to work and perform the essential

functions of their position, and cannot be reasonably accommodated as required by law, may be terminated from their position of employment as a non-disciplinary separation. The one hundred eighty (180) day period will not be treated as being broken if management determines that efforts to return to work were not in good faith or appear to be for the purpose of re-triggering or otherwise circumventing the time period contained in this provision. Civil service employees are entitled to leave as governed by the Texas Local Government Code, Chapter 143.073.

8. In accordance with the Family and Medical Leave Act (FMLA), Workers' Compensation leave, and Line of Duty Illness/Injury Leave of Absence will run concurrently when the injury is considered a 'serious health condition'.
9. Before reporting back to work, an employee must provide a Texas Workers' Compensation Work Status Report (DWC73) to his/ her supervisor from the attending physician. This release shall be submitted to HR/Risk Management either by the employee of his/her supervisor prior to the employee returning to his/her duties. In addition, each time an employee sees a doctor for consultation or treatment, a Work Status Report (DWC73) must be submitted.
10. If an employee is treated at an emergency care facility as a result of the injury, the employee shall follow up with a primary care physician if ordered on the hospital discharge documentation.
11. An employee who is receiving Workers' Compensation benefits may not work either part-time or full time and either for pay or as a volunteer, or otherwise, for or on behalf of himself or any other person, firm or corporation, or any other employer.
12. Any employee who sustains an on-the-job injury, however minor, and who is physically able, must report the injury within twenty-four (24) hours to his/her supervisor and receive such medical treatment as necessary.
13. Under the Texas Worker's Compensation Act, a TPA may deem an employee ineligible of benefits, or an employee may forfeit all rights to Workers' Compensation benefits for the employee including but not limited to:
    i. Is found to be working for pay at any job not held prior to the injury and not approved by the City Manager and not specifically recommended by the treating physician and/or physician designated by the City Manager.
    ii. Is observed doing things or performing duties contrary to his or her recovery processes, or who is engaged in activities which would tend to indicate his or her physical ability to perform his or her regular job duties.
    iii. Is terminated for disciplinary reasons under this policy while receiving injured employee wage continuation payments.
    iv. Is laid off due to a reduction in force while receiving injured employee wage continuation payments.
    v. Resigns for any reason while receiving injured employee wage continuation payments.
    vi. Consistently fails or refuses to comply with or follow or consistently disregards or violates the treating physician's instructions regarding treatment of his or her injury.
    vii. Retires or dies while receiving injured employee wage continuation payments.
    viii. Refuses to accept a bona-fide offer of a modified duty position under the return-to-work program, and/or accommodations to perform a different job with the city when offered and which the treating physician has authorized, and the employee is qualified for.
    ix. Refuses to report weekly to his or her immediate supervisor, the City's HR Director or Safety Coordinator, Assistant City Manager or other person

designated by the City, when the employee's medical condition does not permit him or her to be released to a light duty position.

x. Refuses to accept or perform a different job with the City when offered by the City Manager that is within his or her physical capacity and for which he or she is qualified or will be trained.
xi. Falsifies or misrepresents his or her physical condition of capacity or disability as worse than it in fact is while receiving injured employee wage continuation payments.
xii. Refuses to return to regular duty after he or she has been released to regular duty by the treating physician and his or her regular duty position is still available.
xiii. Refuses to submit to a medical examination and treatment by a physician and treatment of the City Manager's choice.
xiv. Fails to report his or her injury to his or her immediate supervisor.
xv. Fails or refuses to comply with or follow or disregard or violate the treating physician's instructions regarding treatment and/or rehabilitation of their injury.
xvi. Falsifies or misrepresents their physical condition or capacity.
xvii. Refuses to return to duty on the workday they have been released by the treating physician.
xviii. Fails to notify their supervisor of HR/ Risk Management of their condition and/or if a significant change in his/her progress occurs. In addition, each time an employee sees a doctor for consultation or treatment, a Work Status Report (DWC73) must be submitted to the HR/ Risk Management.
xix. Failing to report that while employee was receiving Workers' Compensation benefits, he/she was employed elsewhere, either part-time or full-time, which includes as a volunteer or otherwise, employed or on behalf of himself or any other person, firm or corporation, or any other employer.
xx. Deceased.
xxi. Is injured as the result of the employee's violation of any Federal, State or local law, ordinance or statute.
xxii. Workers' Compensation indemnity payments terminate.
xxiii. Fails to keep medical appointments or refuses to submit to an examination and treatment such as diagnostic test; x-rays; surgical procedures or other treatment as such physician or psychologist prescribes or recommends as medically or psychologically necessary to identify, diagnose, treat, or resolve the employee's injured condition that is job related and "consistent with business necessity."
xxiv. Is injured while engaged in horseplay; while intoxicated by alcohol, controlled substances, dangerous drugs and aerosol paint or inhalant; in willful efforts by employee to injure him/herself; by an act of a third person to injure for personal reasons; or through voluntary participation in off-duty recreational and/or social activities.
xxv. Fails to report the injury to their immediate supervisor within reasonable time, or as prescribed by DWC law. Texas Department of Insurance states, you (employee) must report your injury to employer within 30 days from the date of the injury, or from the date you knew your injury or illness was related to your job. If you do not notify your employer within 30 days, your right to obtain benefits could be lost.
xxvi. In addition to its rights of subrogation granted by law or contract for other benefits, including workers' compensation, the City shall also be

subrogated to the rights of an injured employee or his or her beneficiary as against a third party to the extent of the injured employee continuation benefit payments paid such employee under this provision.

xxvii. The City Manager is hereby authorized and directed to promulgate necessary rules and regulations for the efficient administration of this plan

14. Light Duty Program for Injured Employee

i. The City's Light Duty program is based on the belief that it is in the best interest of both the employee and the City for an employee to return to work in some capacity following an on-the-job or off-the-job illness, injury, or medical condition. Under this premise, department directors are instructed to work with supervisors to identify possible modified duty assignments.

ii. Attempts will first be made to make modified duty assignments in the division and department in which the ill/injured employee currently works. If placement is impossible, the HR Department will attempt to place the individual in another department based on physical ability, skills and available assignments. Individuals with a permanent disability may be qualified for a Reasonable Accommodation.

iii. This Program applies to all City of Del Rio employees injured on and off the job who are removed from duty by a medical professional.

iv. The City reserves the right to require an independent physical/mental analysis/assessment upon the employee's return to work from a disability, illness, injury, or medical condition, or upon returning to work.

v. An employee who is being released for modified duty must provide his supervisor with a current and up-to-date Work Status Report (DWC73 form).

vi. An employee who is released to return to work in less than a full-duty status by the examining physician may be required to work in a position or department other than his/her original position or department. Work duties shall be assigned in accordance with the employee's limitations and the needs of the City services.

vii. No modified duty will be assigned unless a physician's release is provided.

viii. The City is not obligated to offer modified/light duty assignments, and if offered the assignments will not last beyond twenty-six weeks (26).

ix. An employee with a modified/light duty assignment will be required to continue to submit a Work Status Report (DWC73) after each doctor's visit, that states the employee's progress and the next appointment.

x. When the employee returns to work and is placed on light duty, the remaining hours will be paid by supplementing with accrued leave.

xi. An employee with a modified/light duty assignment will be expected to cooperate and fully perform the modified duty assigned. Failure to do so by the employee may result in the termination of the modified duty assignment, discontinuance of City benefits, and the employee becoming subject to disciplinary action. It is the responsibility of the employee to inform his/her supervisor, in advance, of scheduled appointments. The employee should make every attempt to minimize the time away from work.

xii. An employee on modified duty assignment remains subject to all City directives. An employee on modified duty assignment whose attendance, performance, and/or conduct merits disciplinary action will be subject to disciplinary action

xiii. While the City will make every effort to provide modified duty assignments, the City is under no obligation to provide such assignments, and this directive is not creating such an obligation.
xiv. It is the policy of the City of Del Rio that no employee will be allowed to refuse assignment to a light duty job.
xv. An employee who refuses to accept a light duty assignment that is consistent with the medical restrictions stated in the medical statement above will be subject to disciplinary action, up to and including termination.
xvi. If allowed, and if the injury occurred on the job, the employee will not be eligible for employee wage continuation benefit payments.
xvii. An authorized absence occurring in contradiction to the medical restrictions will result in a payroll entry of absence without pay and will be treated as outlined in this policy as an unexcused absence.
xviii. If the employee is eligible for a light duty assignment, but no light duty assignment is available, the employee must utilize accrued sick or vacation leave, if available. If such leave is not available, the employee will be in a no pay status as a reasonable accommodation only to the extent that it does not create an undue burden on the City's operations and as only authorized by the department head and City manager
xix. The City Manager is hereby authorized and directed to promulgate necessary rules and regulations for the efficient administration of the Light Duty Program. Participation in the Light Duty Program shall be upon authorization by the City Manager only and shall always remain subject to his or her approval.

15. Supervisor Responsibilities for 'On-The-Job' Injury - The following is a listing of supervisor's responsibilities for on-the-job injury/illness under this directive:
    i. Complete an Employer's First Report of Injury (DWC Form 1) which is available on the City's website under the HR department immediately on the knowledge of an employee suffering an on-the-job injury. The DWC Form is under Employee Rights and Responsibilities.
    ii. Supervisors must print the Risk Documents and give it to the injured worker. The DWC 1, once completed and signed by the employee's supervisor or acting supervisor, must be emailed to the city's HR Risk and Benefits Coordinator as soon as possible, but no later than three (3) calendar days after any occupational injury/illness. A copy must also be given to the injured employee.
    iii. For injuries/illnesses occurring while at work, immediately provide or obtain necessary medical attention for the injured/ill employee.
    iv. Ensure that all occupational accidents, incidents, and injuries are immediately reported to the HR Risk and Benefits Division.
    v. Contact the HR Risk and Benefits Division if the accident involved a motor vehicle so that appropriate arrangements for drug testing can be made. In the event of an accident after hours, contact the Safety Coordinator for test coordination.
    vi. The supervisor or his/her designee is encouraged to contact an injured employee within twenty-four (24) hours after the initial report of injury.
    vii. Investigate all accidents, analyze the accident reports, and take appropriate corrective and/or disciplinary action to minimize the recurrence of such accidents.
    viii. Notify the city's workers comp carrier and HR Risk and Benefits Division completing a Supplemental Report of Injury (DWC Form 6), which is

available online within twenty-four (24) hours of a change in the employee's work status.

ix. Ensure that the timesheet indicates lost time and appropriate leave usage as of the first full day of lost time.

x. Notify HR Risk and Benefits Division immediately if an employee is seriously ill/injured or dies. If the accident occurs outside of normal working hours, the department should immediately notify the HR Safety Coordinator on the afterhours phone. Police/Fire Dispatch can also contact the HR Department.

xi. Department Directors shall devote attention to making sure that all provisions of this regulation are understood by both supervisors and employees in their departments.

xii. Department Directors and supervisory personnel shall require employees returning from an examination or treatment to deliver a completed copy of the physician's exam report to HR.

xiii. Strive to keep work group injuries to a minimum.

xiv. Within seven (7) days of the date of the employee's injury/illness, the supervisor must notify the employee in writing of his/her obligation to contact the supervisor at least once each week, and that failure to do so could subject the employee to disciplinary action. Each supervisor shall establish procedures for this reporting requirement and inform the injured employee of those procedures.

xv. Although it is ultimately the employee's responsibility to contact the supervisor each week, (in accordance with the supervisor's prescribed reporting requirements), the supervisor should ensure that regular contact with the employee is maintained.

xvi. The supervisor must ensure that the employee complies with this directive.

xvii. The supervisor must follow-up to ensure that an employee who has an on-the-job disability, illness, injury, or medical condition meets the requirements specified in the Return to Work for Full Duty section of this policy.

xviii. The supervisor must follow-up to ensure that an employee who has an on-the-job illness, injury, or medical condition meets the requirements specified the Light Duty Assignments section of this directive.

xix. When an employee begins "inactive" status, the supervisor must immediately complete and forward to HR an PAF indicating such status.

16. Employee Responsibilities for 'On-The-Job' Injury. - The following is a listing of each employee's responsibilities under this directive pertaining to "on-the-job" injury/illness.

    i. Employees are responsible for reporting any on-the-job injury/illness, however minor, to their immediate/designated supervisor as soon as possible, but no later than twenty-four (24) hours after the injury/illness occurs. If the nature of the injury/illness renders the employee physically unable to give personal notification, then any employee(s) who witnessed the incident will report such to his/her immediate supervisor within the time specified. An employee's failure to notify his/her supervisor may result in forfeiture of his/her rights to all Workers' Compensation and City benefits.

    ii. An employee who has an on-the-job disability, illness, injury, or medical condition must meet the reporting requirements specified in the Return to Work for Full Duty section of this policy.

iii. An employee who has an on-the-job illness, injury, or medical condition must meet the reporting requirements specified in the Light Duty Assignments section of this policy.
iv. It is the employee's responsibility to schedule treatment outside of their normal work schedule.
v. The employee who is away from work due to an on-the-job injury or is on "inactive" status must contact his/her supervisor according to the agreed upon communication schedule until they return to work or the end of the one-year period. If the employee is unable to make contact personally, he or she shall have someone contact his/her supervisor on his or her behalf.
vi. The City must be aware of the employee's status in order to plan and assign work duties and responsibilities in an efficient manner.
vii. The employee may not engage in any activity that may impede the treating physician's prescribed treatment/recovery plan. Any employment, including self-employment, in which the employee wishes to engage must be reported by the employee to the HR Department and approved by the HR Department.
viii. An employee who fails to contact his/her supervisor each week or provide a current Work Status Report in accordance with this policy shall be subject to disciplinary action in accordance with policy as well as the possible loss of City benefits.
ix. It is the responsibility of the employee to notify HR and/or the worker's compensation Adjuster anytime there is a change in employment status or wages.

B. Return to Work for Full Duty

1. The following reporting requirements apply when an employee returns to work from an on-the-job disability, illness, injury, or medical condition:
    i. An employee returning to duty after being unable to work for three (3)or more working days due to an on-the-job disability, illness, injury, or medical condition must provide a written release signed by the attending physician to the Risk Department indicating the employee's fitness to return to full duty, prior to beginning work.
    ii. In the case of an employee who returns to work from an on-the-job disability, illness, injury, or medical condition in less than three (3) working days, the employee may take his/her release to the supervisor who can forward it to the Risk Department.
2. The City reserves the right to require an independent physical/mental assessment, at the City's expense, upon the return to work of an employee from a work related or non-work-related disability, illness, injury, or medical condition.

3. Employees who miss work to attend necessary follow-up doctor visit(s) after the employee returns to work will be compensated for such time as follows: If follow-up doctor visits are necessary after returning to work from an on-the-job disability, illness, injury, or medical condition, and the visit(s) cannot be scheduled so as not to interfere with the employee's normal work schedule, then the employee will be compensated with regular pay for the amount of time taken away from work in order to attend the doctor visit(s).

4. Immediately upon the employee's return from "inactive" status, the supervisor must notify Workforce Services and Risk in order to change the employee's status from "inactive" to "active".

C. Job Reassignment

1. Job reassignment may be provided as follows when an employee is unable to return to his/her current position due to injury/Workers Compensation:
    i. If a position for which the employee is qualified and physically able to do is vacated, the employee may be considered for transfer to a job reassignment.
    ii. It will be the employee's responsibility to identify positions for which he/she may be qualified and physically able to perform, and to request such job reassignment.
2. Should an employee be unable to return to work in his/her current position due to a disability, the City may provide job reassignment as a reasonable accommodation in accordance with the Americans with Disabilities Act of 1990.

3. Job reassignments are not guaranteed. Such requests will be discussed with Workforce Services and the Department Director of the hiring department before such a decision will be made. Interviews with the hiring department will be conducted.

D. Termination

1. This Directive does not preclude an employee from being terminated for any reason or no reason at all so long as such termination is not contrary to law.

E. Medical Records

1. All medical records obtained pursuant to this directive will be kept in confidential medical files as required by law.

POLICY 490 - INCLEMENT WEATHER AND NATURAL DISASTER

A. Purpose and Scope - To establish guidelines for accounting employee absences when inclement weather conditions occur. This Policy applies to all City employees.

B. Policy- Regardless of weather conditions or natural disaster, the City never closes. Employees decide whether they can safely arrive to work or continue at work, under adverse weather conditions. Department Heads will determine staffing requirements and schedules. It is the City Manager's responsibility to decide and declare whether the policy for inclement weather or natural disaster conditions is in effect.

C. Once an emergency condition exists or is declared; all city personnel are responsible to report when contacted to their supervisor or the assigned location or worksite.

POLICY 500 - CONFLICT OF INTEREST

A. Policy Statement- It is the policy of the City of Del Rio to ensure that all employees are aware of what constitutes a conflict of interest or breach of trust and are aware of the level of conduct and integrity which is expected of City employees. The City recognizes the right of employees to engage in activities outside their City employment which are of a private nature and unrelated to City business. However, a policy of full disclosure will be followed to assess and prevent potential conflicts of interest.

B. Purpose and Scope- The purpose of this policy is to provide the City of Del Rio employees with guidelines for identifying potential conflicts of interest and breaches of trust; to help ensure that City employees do not place themselves, or permit themselves to be placed, in a position which would constitute a conflict of interest or breach of trust; and to promote high standards of professional conduct and values among City employees.

C. Legal Implications.

1. City employees and public officials are agents of the public whose primary responsibility is to address the needs of the citizens and to uphold and adhere to the City of Del Rio Charter, City Policies, City Rules, City Procedures, as well as to follow all applicable federal and state laws.

2. Employees are expected and should not exceed their authority, breach the law, or ask others to do so. They are also expected to work in full cooperation with the City of Del Rio City Council and other City employees, unless prohibited from doing so by law.

3. Employees shall not request or permit the use of City-owned vehicles, equipment, materials, property, or staff for personal convenience or profit, except where such privileges are granted to the general public.

4. Employees shall not grant any special consideration, treatment or advantage to any citizen or group of citizens beyond that accorded to all citizens.

5. All employees are responsible to ensure that they do not improperly copy for their own use documents or computer programs in violation of applicable copy right laws or licensing agreements.

6. No employee shall accept other employment or compensation that could reasonably be expected to impair judgement in the performance of his/her City duties.

D. Procedure- While describing all the circumstances and conditions which might give rise to a conflict is impossible, the following is set forth to guide employees.

1. Full time employees have an obligation to devote their time and energy to employment with the City and may not engage in any outside work or hobby of the same kind of employment with the City employment, without approval by their supervisor and the Department Head.

    a. No employee may engage in outside work or a hobby or the same kind as his or her City employment that will interfere with his or her primary job

with the City, nor will any employee engage in any activity of a nature that is in some way incompatible or adverse to the City's interest.

b. No employee may accept gifts or favors from citizens or vendors. This does not include a meal, an award or recognition bestowed by a non-profit organization, a sample product to be used in workplace only, or a memento or souvenir of minimal value. All other gifts must be politely declined.

c. No employee may accept any alcohol, liquor, or other intoxicants from citizens or vendors.

d. No employee, or members of his/her immediate family, shall have any business relationship or activity with the City of Del Rio.

e. No personal or outside work may be done during regular work hours and no City facilities, equipment, labor, or supplies may be used to conduct personal or outside work or activity.

f. Any employee of the City of Del Rio doing any outside work or activity is under obligation to advise his or her client that the work is in no way, by, for, or in the name of the City.

E. Employees as Independent Contractors. Employees may not provide services to the City as an independent contractor unless the following specific guidelines are met.

a. The work performed by the employee is distinct and different in all respects from the work they perform for the City

b. The work performed does not and will not interfere with the employee's regular duties, or hours completed by the employee.

c. The work performed does require the use of any City-owned property, equipment, materials, tools, or the occupying of additional City staff used in any manner.

d. There can be no contact for services with any City employee, including situations where an employee may own a business or is part owner of a business, without the written approval of the City Manager.

F. Reporting – Any person who believes that a violation of this policy has occurred shall immediately report the matter to anyone listed below. No adverse action shall be taken on any employee who is acting in good faith and brings forth such information.

DEPARTMENT HEAD - CITY AUDITOR - HUMAN RESOURCES DIRECTOR

CITY ATTORNEY - CITY MANAGER - ASSISTANT CITY MANGER

G. Corrective Action- Any reported violation of this policy will be subject to investigation by the City Manager (or his designee) and/or City Council. If an investigation finds an employee guilty of violation of this policy, disciplinary action up to and including dismissal may occur.

POLICY 510 – EMPLOYEE AND WORKPLACE SAFETY POLICY

A. Statement - The success of the City of Del Rio depends upon our efficient use of resources to produce a high-quality product for the citizens of our community. Our most

important resource is our employees. To protect this resource, we are committed to providing a safe and healthful workplace for all employees by establishing and maintaining an effective safety and health program. We consider safety and health to be a fundamental part of the City's operations.

The responsibility for safety resides within each of us. We are each challenged to stay informed and to take responsibility for our own safety and the safety of our co-workers. To ensure the success of our safety and health process, we must all give our full participation and support to the safety policies and procedures that have been developed to protect us. Working safely and in accordance with established safety policies is an absolute requirement for all employees, supervisors and managers.

B. Purpose & Scope - It is the responsibility of the City of Del Rio to provide a safe work environment. While each department is responsible for its own safety efforts, we are all united in basing our programs and systems on one common safety belief.

   The City's Philosophy and its success in preventing workplace injuries are based on the following fundamental principles:
   a. The City holds safety as the highest core value.
   b. All City employees are responsible and accountable for preventing injuries
   c. The City will promote its safety efforts beyond the workplace.

C. Management's Role
   a. Management's fundamental safety responsibilities include leading the safety effort in a sustained and consistent way, and training employees to work safely.
   b. Safety shall be a core personal value and is a key measure in the assessment of individual performance.

D. Employees' Role
   a. The City's employees play a significant role in the success of its safety programs.
   b. The employees' fundamental safety responsibilities include participating actively in training, identifying and alerting others to potential hazards, and following procedures.
   c. The focus is to work together to address issues through creative and productive problem solving.
   d. By adopting this philosophy, the foundation is laid for effective safety programs, which contribute to making the City of Del Rio the best city in the nation in which to live, work, and raise a family.

E. Management Safety Responsibilities - Management is responsible for providing a place of employment that is free from recognized hazards that could result in injuries or accidents. Since it is impossible for managers to personally observe all employee activities, management must assure that all supervisors are trained and are aware of their safety responsibilities. Other safety responsibilities for managers include:
   a. Provide leadership and direction concerning safety activities.
   b. Participate actively in the continuous evaluation of the safety program.
   c. Set goals concerning safety performance within your department.
   d. Review losses for potential trends on a regular basis.
   e. Enforce all safety rules.
   f. Participate in facility and work site audits.
   g. Participate and support all accident investigation activities.

h. Review accident reports and recommend corrective and/or disciplinary actions.
i. Ensure resources are available to provide adequate equipment and machinery.

F. Supervisor Safety Responsibilities - Safety is as much a part of the supervisor's responsibility as is efficient job performance on the part of the Workforce. Among the important safety responsibilities of every supervisor are:
   a. Familiarize yourself with and enforce the safety rules and regulations that have been established by applicable local, state and federal organizations. These regulations are intended to set minimum standards for safety and the contents of the regulations should be enforced as minimum safety requirements for all activities on our work sites or in our facilities.
   b. Correct or have corrected all reported hazards. Operating under known hazardous conditions will not be tolerated.
   c. Do not permit new or inexperienced employees under your supervision to work with power tools, machinery or complex equipment without proper instruction and training.
   d. Give adequate instructions. Do not assume that an employee knows how to do a job unless you personally have knowledge that the person can perform the task correctly.
   e. Ensure tools, equipment and machinery being used in the workplace is in proper working condition.
   f. Ensure that proper personal protective equipment is available and used by employees when necessary or required.
   g. Always set a good example in safety, such as wearing the proper safety equipment (safety glasses, hard hats, etc.) following policies/procedures, using seat belts, etc.
   h. Do not allow the use of unsafe tools or equipment.
   i. Consistently enforce the requirements of the organization's safety program and any associated rules or policies.
   j. Ensure that all employees have access to a copy of the organization's safety program.
   k. Encourage safety suggestions from employees under your supervision.
   l. Obtain prompt first aid for injured employees.
   m. Participate in accident or incident investigations involving your employees.
   n. Conduct audits of all work areas and facilities on a regular basis to improve housekeeping, eliminate unsafe conditions, and encourage safe work practices.

G. Employee Safety Responsibilities - All employees bear a certain amount of responsibility in any safety program. You must be aware that your actions, mental state, physical condition, and attitude directly affect the safety of yourself and your fellow employees. All employees will:
   a. Know their job, follow instructions, and think before acting.
   b. Use the prescribed uniform, safety shoes, and Personal Protective Equipment (eye protection, hard hats, gloves, etc.) as the job requires.
   c. Work according to good safety practices as posted, instructed, and/or discussed.
   d. Refrain from any unsafe act that might endanger themselves or your fellow workers.
   e. Use caution so as not to abuse or damage tools and equipment.
   f. Use all safety devices provided for their protection.
   g. Report any unsafe situation or act to their supervisor immediately.
   h. Assume responsibility for thoughtless or deliberate acts that may cause injury to themselves or co-workers.

i. Abide by all policies, procedures, rules, etc. associated with The City of Del Rio's Safety Program and Policy Manual. A copy of this Program is available at any time upon request.
j. Never operate equipment that they are NOT familiar with or NOT trained to use and to report to their supervisor equipment that is defective or in need of repair.
k. Report all accidents/incidents to their supervisor as soon as they occur.
l. Following all treating physician's directions and returning to work in accordance to their directives.
m. Public Safety Service Personnel will abide by their policies in their perspective departments.

ADDENDUMS
TEMPORARY POLICIES

The following policies in this section are for temporary reasons or needs only and are not intended for implementation in perpetuity and are implemented in times of urgent situations or emergencies.

As such, these policies are in force for the duration as so stated in the policy and procedure. On conclusion of the event or emergency, the policy is rescinded and no long in force.

Funding for any of these policies must be included and defined as to sources, duration, regulations, and the government or grant agency that funds the policy.

All polices are kept as a matter of record in this handbook but does not imply that the policy is in force.

ADDENDUM 1

Temporary Hazard Pay Policy for City of Del Rio Transportation Department

I. Scope

This policy applies to all City of Del Rio Transportation Department employees and is made available through emergency funding provided in the CARES Act response to the COVID 19 pandemic. This policy may be modified as the COVID-19 pandemic changes and in accordance with available funding.

II. Purpose

The number one priority of the City of Del Rio Transportation Department is ensuring the safety and well-being of our employees. To support this commitment the City of Del Rio Transportation Department is putting into to place a COVID 19 Temporary Hazard Pay Policy for employees who are required to have direct face-to-face contact with the public to clean and maintain vehicles exposed to the public or are in the field of transporting passengers.

The policy will take into effect only when the Transportation Security Administration (TSA) has a face mask mandate in place due to the ongoing COVID-19 pandemic to assist in the minimizing the spread of the virus. The Hazard Pay will be in effect until TSA determines that the face mask mandate is no longer warranted and that the COVID-19 virus is no longer a threat to the organization or its employees. The City may reimplement this policy in the event TSA rescinds, but then reimposes the face mask mandate. No part of this policy will be effective to the extent it conflicts with federal, or state law or regulations issued pursuant to federal or state law.

III. Policy

During the occurrence of a TSA face mandate requirement, all full time Transportation Vehicle Operators and Transportation Maintenance Staff may be eligible for hazard duty pay, as a supplement to the employee's base pay as determined by the Transportation Director. All the employees who meet this criterion will receive a temporary increase to the hourly pay rate determined by the City. The duration of the hazardous duty pay will be determined by the Transportation Director based on funding availability. All employees pay rates will return to the original pay rate before the addition of the hazardous pay increase at the end of the approved time period. Hazard pay is not guaranteed and is only applicable if funding is available and is approved by the Transportation Director and City Manager.

IV. Procedure

The Transportation Department will submit a Personnel Action Form to Human Resources detailing the pay change and the time of the rate change, to include the employee's name, current rate, new rate, and funding source.

ADDENDUM 2

CITY OF DEL RIO

ALCOHOL AND DRUG TESTING POLICY

ACKNOWLEDGMENT, CONSENT, AND RELEASE FORM

I acknowledge that I have been provided a copy of the City of Del Rio's Alcohol and Drug Testing Policy ("Policy"). I acknowledge that I have read the Policy and understand the Policy. I understand that a violation of this Policy may result in the revocation of my employment offer from, or the immediate termination of my employment with, the City.

If I am an applicant, I understand the test results will be used to determine my suitability for employment. I understand that refusal or failure to sign this form or cooperate in giving any specimens and/or information requested by the City will result in ineligibility for employment.

I am aware that the City will conduct a urinalysis and/or breath test for the purpose of determining if I am in violation of this Policy. These tests may be used in the following situations: (a) pre-employment testing; (b) testing based on reasonable suspicion; (c) random testing; (d) testing following an accident as described by this Policy; and (e) testing that is consistent with the enforcement of this Policy. The City will adhere to all state laws regarding alcohol and drug testing.

I give my consent to the City or its authorized representative to conduct a urinalysis and/or breath test for the purpose of determining my use of illegal, controlled, or unauthorized substances or for the purpose of determining if I am in violation of this Policy.

I RELEASE AND AGREE TO HOLD HARMLESS THE CITY, ITS OFFICERS, EMPLOYEES, AGENTS, AND INDEPENDENT CONTRACTORS, FROM ANY LIABILITY TO ME BASED ON ANY DRUG OR ALCOHOL SCREENING PROCESS UNDERTAKEN PURSUANT TO THIS POLICY, THE RESULTS OF SAID PROCESS, OR ACTIONS TAKEN BASED ON THOSE RESULTS. THIS RELEASE INCLUDES, BUT IS NOT LIMITED TO, LIABILITY BASED ON NEGLIGENCE.

I understand that this Acknowledgment, Consent, and Release Form becomes effective on the date it is signed and will continue to be effective for the duration of my employment with the City unless revoked by me in writing and delivered by me to the Human Resources Department.

_____ _____

Date Employee Signature

ADDENDUM 3

City of Del Rio
Remote Work Agreement and Checklist

Remote Worker Agreement and Department Director Policy Checklist*. The Remote Worker Agreement documents the mandatory policies in effect and any other understandings between the supervisor and the remote worker. This Agreement must be signed by both the remote worker and the department director prior to the start of remote working. The Department Director's Policy Checklist provides a way to verify that all essential parts of the start-up of a remote working arrangement with an employee have been covered prior to the actual start of remote working.*

Name of Employee _____ **Supervisor**
_____

Employee's Title _____ **Supervisor's Title**
_____

Department _____

The City of Del Rio and the undersigned employee, hereinafter referred to as "remote worker", agree as follows:

Workplace Health and Safety - The remote worker represents that the alternate workplace has adequate light, heat, ventilation, electrical service and other conditions that make a safe and healthful work environment. The remote worker shall maintain the alternate workplace in a safe and healthful condition including proper ergonomics.

The remote worker shall act in a responsible manner to avoid injury. The remote worker understands that failure to take proper health and safety precautions in the alternate workplace may result in termination of the Remote Work Agreement and/or disciplinary action.

Inspection - The supervisor or the supervisor's delegate *may* inspect the remote worker's alternate workplace for safe conditions or to repair, maintain or inspect City equipment with two (2) days advance notice.

Calling In - The remote worker must call in to the remote worker's voice mail at the regular office or to the remote worker's supervisor at least daily as required and agreed to between the City and supervisor.

Equipment - The remote worker is responsible for the modification, repair and maintenance of any personal equipment.

The remote worker shall only use properly licensed software for City business.

The remote worker is advised to consult with the employee's homeowner's or renter's insurance policy agent regarding the coverage for the employee's personal equipment used for business to ensure coverage is adequate. (The remote worker is to pay for this expense, if any.)

Office Supplies, Postage, Faxing & Copying - The remote worker shall obtain any office supplies, postage, faxing services or copying as authorized.

Other Expenses - The City will only pay for a claimed expense which has been separately and expressly pre-approved.

Confidential Information - The remote worker agrees to carry out the steps needed for good information security in the alternate workplace. The remote worker agrees to check with his/her supervisor when security matters are at issue.

No documents or computer information may be removed from the regular office without the Department Director's approval.

Policies - The remote worker will follow all laws and City policies, including those public records and Information Technology Use operating policy.

Remote Worker Days/Hours

Must be agreed upon between the remote worker and the supervisor.
The hours the remote worker will work at the alternate workplace shall be as follows:

Scheduled remote workdays during emergency period of time:

□ Monday □ Tuesday □ Wednesday □Thursday □Friday □Saturday □Sunday
Remote workers must be available by phone or through other electronic communication during the core business hours of _____ to _____.

Use of combination leave, major medical leave or other time off must be approved in advance by the supervisor. Accrual of overtime or compensatory, if applicable, time must be approved in advance by the supervisor.

Termination - Both the department director and the remote worker understand that remote working is a bilateral voluntary option and can be discontinued at either party's request, with the City Managers approval. Unless terminated through other means, this agreement is in effect through the duration of the City of Del Rio emergency orders.

I have been given a copy of the City of Del Rio Remote Work Policy, have read it and all my questions have been answered.

Signatures below signifies agreement with the provisions of this document and with the City of Del Rio Remote Work Policy.

I certify that all information contained on this form is true and accurate.

Employee Signature: _____ Date _____

Supervisor Signature:_____ Date _____

City Manager Signature _____ Date _____

City of Del Rio
Department Director/Supervisor/Remote Worker Policy Checklist

Name of Remote Worker _____

Name of Department Director _____

	TASK	DATE COMPLETED
1	Remote worker has read the orientation documents and the City's Emergency Remote Work Policy.	
2	Remote worker has been provided with a schedule of core hours or guidelines for flexing work hours.	
3	Remote worker has been provided with a schedule of core hours or guidelines for flexing work hours.	
4	Equipment issued by the City is documented. Equipment is to be used only for City work and remains the property of the City. At the end of the agreement, it is to be returned to the City.	
5	Performance expectations have been discussed and are clearly understood. Assignments and due dates are documented.	
6	Requirements for adequate and safe office space at the alternate workplace have been reviewed with the remote worker and the remote worker certifies that those requirements have been met.	
7	Requirements for care of assigned City equipment have been discussed with the remote worker and are clearly understood.	
8	The remote worker understands all steps that need to be taken to provide for computer information security and will ensure that they are taken.	
9	Phone contact procedures have been clearly defined and any affected support staff have received necessary	
10	The remote worker has read and signed the Remote Work Agreement.	

Return to Agreement and check list to Human Resources.

For HR use ONLY: Date received: _____ Approved _____

CITY OF DEL RIO

PERSONNEL POLICY MANUAL AND HANDBOOK

ACKNOWLEDGMENT AND CONSENT FORM

I acknowledge receipt of the City of Del Rio Personnel Policy which can be found online at www.cityofdelrio.com. I confirm that it is my responsibility to read all the City's policies, rules and procedures contained therein.

I recognize that my employment with the City is "at will," meaning that I may resign or be terminated at any time for any or no reason. I acknowledge that this Personnel Policy is not a contract of employment for any definite period of time, and that any exceptions to this policy of "at will" employment are not binding on the City unless reduced to writing and signed by the City Manager.

I understand that this Personnel Policy is not intended to alter the "at will" nature of my employment.

_____.
Name of Employee (Print)

_____.
Signature of Employee

_____.
Date