



**City of Beeville**  
**Employee Handbook**

Adopted April 28, 2015



Division of Health  
Employee Handbook  
1912-1913

# EMPLOYEE HANDBOOK

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## **CITY OF BEEVILLE**

The "City of Beeville" exists for only one reason. That reason is to provide specific services to the citizens of Beeville, Texas. The job of City employees is to help provide one or more of those services. City employees are representatives for the City. Always be courteous, listen carefully to complaints, and aid the citizens by referring him/her to the proper office for the correction of their problem, if you are not able to personally help. Success in providing services to the citizens of Beeville, as well as individual employee success, depends upon the cooperation of every employee, regardless of what the job may be.

These personnel policies will give you most of the answers about employment with the City; however, there will be additional administrative rules and regulations adopted by individual departments (subject to approval of the City Manager) that are needed to fit special needs of each department.

### **A. INTRODUCTION**

This Employee Handbook is a brief description of the personnel policies, benefits, rules of conduct, and safe practices of City of Beeville, Texas. It is designed as a reference and is subject to the terms and conditions of other standard operating procedures, personal instructions, and government regulations. City of Beeville policies, procedures, and benefits are periodically reviewed and may be changed. Regarding any provision of the Employee Handbook, All requests for approval by the City Manager shall be submitted in writing and the City Manager's approval shall be in writing.

The City of Beeville is an Equal Opportunity Employer and does not discriminate in employment or services because of race, color, national origin, gender, age, religion, disability, or sexual preference.

Nothing contained in this Employee Handbook or any other materials or information distributed by the City of Beeville creates a contract of employment between an employee and the city. Employment is on an at-will basis. This means that employees are free to end their employment at any time, for any reason, and the city retains that same right. No agreements to the contrary, written or oral, made either before or during an individual's employment, can change this. No individual supervisor, manager, or officer can make a contrary agreement, except for the City

Council; and even then, such an agreement must be set forth in a written employment contract with the employee, signed by the Mayor.

The policies in this manual are intended for all employees of the City of Beeville, its divisions and subsidiaries. The city reserves the right to revise, change, or terminate policies or procedures at any time, with or without notice.

This edition of the Employee Handbook, dated April 28, 2015, replaces previous personnel manuals, employment policies, guidelines, and other related memos notices, and emails, etc.

## **B. PAYPRACTICES**

Wages and salaries are based on education, experience, skill level, performance, training, certification, licensing and the interaction between employees and citizens; as well as economic factors that affect the overall success of the City.

**B1. HOURS OF WORK** The working hours of the City are from 8:00a.m. to 5:00 p.m., Monday through Friday. However, certain departments provide critical and important services that require department operations on a 24-hour, seven days a week basis, either as a regular schedule or for special needs. Each department head will inform employees of the normal working hours of their department. The workweek for employees is 40 hours, but in the case of those departments furnishing critical and important services certain employees may be on 24-hour call.

In case of a major emergency, all City employees may be subject to 24-hour call. The Mayor and/or City Manager will declare whether an Emergency situation exists and who shall be subject to 24-hour call.

**B2. TIMEKEEPING** Employees are required to record time worked on a Time Sheet. It is necessary to record arrival, departure, lunch period, and any other time that an employee is not working. Employees may not record time for another employee.

The City depends on the accuracy of its time records; errors, corrections, changes, or exceptions must be brought to the attention of the immediate supervisor.

**B3. PAY PERIOD** Employees are paid on a bi-weekly basis --- every other Friday.

The payroll period for hourly employees who receive overtime begins on Sunday and ends on Saturday each week, with paydays every other Friday. There are two methods of calculating employee pay, depending on the type of work being done and the job classification of each employee:



- (1) HOURLY EMPLOYEES are paid for each hour worked at a fixed rate per hour, with paychecks or direct deposit distributed bi-weekly --- every other Friday. If payday is on a holiday, pay will be distributed the day before.
- (2) SALARIED EMPLOYEES are paid a set amount per week, with paychecks or direct deposit distributed bi-weekly --- every other Friday. If payday is on a holiday, pay will be distributed the day before.

**B4. OVERTIME** According to the Fair Labor Standards Act and U.S. Department of Labor regulations, only hourly, non-exempt employees are paid for working overtime. Certain jobs, including executive, administrative, supervisory, and professional employees are exempt from overtime payment.

Overtime for hourly, non-exempt employees is paid at one-and-one-half times the hourly rate. For pay purposes, overtime includes only the hours actually worked in excess of 40 per payroll week, which begins on Sunday and ends on Saturday. Holidays, vacation, jury duty, or other times away from work are "not considered as hours worked" for overtime purposes.

Required Overtime Employees may be required to work overtime when necessary, as determined by the department head. When it is necessary to work overtime the department head will ask for *volunteers*. If additional employees are needed, the department head will select other personnel as required.

Overtime will be requested only when it is not possible to adjust staffing patterns and/or employee work schedules to perform the required work load during normal working hours. Examples include:

- (1) The unexpected absence of an employee whose position must be filled to avoid a disruption in service.
- (2) The necessity to immediately perform an unexpected, busier than normal, volume of work to avoid a disruption of service.
- (3) The necessity to meet an increase in workloads due to emergency situations such as storms, or other disruptions.

When employees are required to work overtime, specific overtime assignments will be rotated and allocated as evenly as possible among employees qualified to do the work. Employees are expected to respond to reasonable requests to work overtime and may be subject to disciplinary action for failing to stay or report for overtime work.

The City may require a reasonable amount of overtime, but employees are not permitted to work overtime unless it is directed, scheduled, and approved in advance by management.

**B5. COMPENSATORY TIME FOR MANAGERS** in accordance with the Federal Fair Labor Standards Act. In lieu of Overtime Compensatory Time an "exempt employee" may adjust his/her regular work hours as needed, with prior approval of the City Manager.

Accrued Compensatory Time earned as of September 30, 2014 by current "Exempt" Employees will be "grandfathered". Said accrued Compensatory Time must be used by December 30, 2015.

All other employees are considered hourly-paid employees and will be paid for overtime hours worked. However, an hourly employee may, at their option, decide to accumulate compensatory time for overtime hours, rather than receiving overtime pay. Compensatory time may not be earned in the same week as using vacation or sick leave in any amount.

**B6. COMPENSATORY TIME FOR HOURLY EMPLOYEES** Hourly employees will accumulate compensatory time at a rate of 1½ hours of compensatory time for each hour of overtime worked. Compensatory time records will be maintained by department supervisors, and an employee's use of compensatory time is subject to approval of the employee's supervisor.

Public Safety and emergency response employees may accrue compensatory time balances not to exceed 480 hours. All other employees may accrue compensatory time balances not to exceed 240 hours. If compensation is paid to an employee for accrued compensatory time, such compensation will be paid at the employee's regular rate of pay at the time the employee receives payment. Unused compensatory time will be paid to an employee upon termination of employment.

**B7. WITHHOLDING FEDERAL INCOME TAX** Federal law requires the City to deduct from the wages and salaries of employees specific amounts which are paid to the government as income tax. The amount of this tax deduction is determined by several factors, including the number of dependents. Any changes in the number of dependents should be reported immediately by the employee to the office of the Finance Director.

**B8. WITHHOLDING SOCIAL SECURITY TAX** Federal law requires employees to participate in Federal Social Security and Medicare. The City must deduct from the wages and salaries of employees' specific amounts which are paid to the government as a tax.

**B9. PAYROLL DEDUCTIONS** Certain payments are automatically taken out of each employee's paycheck; the law requires specific deductions and others are for the convenience of employees.

- Federal Withholding Tax
- Social Security Tax
- Medicare Tax
- Court-ordered Child Support
- Insurance Premiums
- Uniforms

**B10. PAY ADVANCES** The City does not loan money or advancing pay before it is earned.

**B11. EXPENSE CHECKS** Some City employees receive monthly expense checks for the use of private vehicles for City business, and for clothing, uniform allowances, or other purposes. Volunteers also receive compensation for services provided to the City through volunteer organizations, such as the Fire Department. All such checks will be paid on the 1<sup>st</sup> day of each month or on the Friday preceding that day if the 1<sup>st</sup> falls on Saturday, Sunday or a Monday holiday.

## C. TIME OFF

### C1. HOLIDAYS

A schedule of holidays observed by the City of Beeville:

New Year's Day	1Day
Martin Luther King Birthday (3 <sup>rd</sup> Monday of January)	1Day
Good Friday Afternoon	½Day
Memorial Day	1Day
Independence Day	1Day
Labor Day	1Day
Veteran's Day	1Day
Thanksgiving (Wednesday, Thursday & Friday)	3Days
Christmas Eve	1Day
Christmas Day	1Day
Total	11 ½Days

When a holiday falls on Saturday it will be observed on the proceeding Friday. When it falls on Sunday it will be observed on the following Monday.

(1) Full-Time employees receive 11 ½ days paid holiday per year.

- (2) ~~Temporary Employees: Temporary Employee's receive payment for Holidays only when the holiday fall on a regularly scheduled work day for the temporary employee.~~

To be eligible for holiday pay, employees must work the regularly scheduled workday before and after the observed holiday; unless on a scheduled vacation day, sick leave, or other approved leave. Employees on unapproved absence or unpaid leave will not be eligible for holiday pay.

**C2. WORKING ON A HOLIDAY** Employees who work on a holiday will be compensated by overtime payment or compensatory-time-off for the hours actually worked.

**C3. VACATION** It is the City's policy to grant paid vacation leave to full-time employees based on each employee's "continuous service" (employment) with the City, as measured on January 1<sup>st</sup> of each year.

<u>(1) Full-Time Employees</u>	<u>Annual Vacation Leave</u>
0 years, but less than 5 years	96 hours (12 days)
5 years, but less than 10 years	104 hours (13 days)
10 years, but less than 15 years	112 hours (14 days)
15 years or more	120 hours (15 days)

- (3) Temporary Employees are not eligible for paid vacation leave.

Accumulated Vacation Leave may not exceed two hundred forty (240) hours. Employees will be paid for accumulated Vacation Leave upon separation of employment at the employee's rate of pay at the time of separation.

An employee must complete six (6) months of employment with the City before taking vacation leave or receiving "Pay-in-Lieu-of-Vacation." Pay-in-Lieu-of-Vacation allows an employee to "sell back to the City" up to 6 days of available vacation per fiscal year. Payment will be based on the current hourly rate for hourly employees; and will be calculated for salaried employees by dividing the annual salary by 2,080 hours to determine the "hourly pay rate" and multiplying the number of hours of vacation leave to be paid.

Vacation Leave is scheduled with the concurrence of the supervisor and the department head. Employees must submit requests for vacation leave sufficiently in advance to allow the supervisor to adjust work schedules. If two employees with the same job title desire the same vacation period, and it would affect the City's operation, the senior employee with the most continuous service with the City will be given preference. Management reserves the right to schedule vacation and other time off in accordance with operational needs but will attempt to approve individual requests.

Vacation leave is not credited to an employee while the employee is not being paid and not actively at work, including "leave without pay," Workers' Compensation injury, and Family and Medical Leave Act (FMLA) absence.

If an employee becomes ill, while on vacation and is confined to bed by a physician, he/she will be allowed to charge each day in bed to available sick leave. Written proof from the physician may be required if requested by the employee's department head.

#### **C4. SICK LEAVE**

- (1) Full-time employees accumulate Sick Leave at the rate of 3.69 per pay period, which is a total of 12 days per year. Sick Leave does not accumulate while on leave without pay, injury leave, Workers' Compensation leave, or Family and Medical Leave Act (FMLA) leave.
- (2) Part-time employees accumulate Sick Leave at the rate of 1/4 day per pay period, which is a total of 6 days of per year.
- (3) Temporary employees are not eligible for Sick Leave.

An employee must notify the supervisor prior to the time the regular workday begins, and call in daily. The department head may require a physician's statement certifying the reason for the absence. The department head may also send an employee home if obviously ill and remaining at work could endanger the employee or others.

Employees will be allowed to take available sick leave when they or an immediate family member are ill or injured, or if there is a death in the family. For these purposes, the immediate family includes persons related to the employee within the third degree through "Relationship by Blood," and within the second degree through "Relationship by Marriage." (Refer to Exhibits A for details.)

Accumulation of sick leave is not limited. However, upon separation from employment payment for accumulated sick leave will be at 50% of value, as described under Severance Pay. (Refer Section G4 for details.)

**C5. RESTBREAK** Employees are entitled two 15-minute rest breaks per 8-hour working day. This means 15 minutes away from the work area. It may be necessary in some instances to take coffee, a drink or a snack to go if a restaurant, City Hall coffee room, or other break area is not immediately available. Most City employees work in full view of the public and rest breaks of excessive periods of time away from the job will not be tolerated.

**C6. LUNCH PERIOD** All employees are entitled to one 60-minute lunch (meal) period per 8 hour working day. This means 60 minutes away from the work area. Lunch periods may in some instances be limited to 30 minutes, but this will be in

special cases only. The time of day for lunch periods depends on the needs of each department, but the usual hour is from 12:00 noon to 1:00 p.m.

**C7. LEAVEWITHOUTPAY** Special leave without pay may be granted for periods not to exceed three calendar months in any one calendar year for purposes deemed beneficial to the City --- as approved by the City Manager.

If leave without pay is taken because of an employee's personal health condition, medical certification will be required at the beginning of the leave; and a doctor's certification will also be required in order to return to work. The doctor's release must be for 100% recovery --- "light or modified duty" will not be allowed. An employee who does not return to work on the first regular work day following the end of approved leave without pay will be terminated because of "non-availability for work."

**C8. LEAVEWITHPAY** Special Leave with pay may be granted for a period not to exceed four (4) work weeks for purposes deemed beneficial to the City and approved by The City Manager. An Example is to allow the City time to complete an investigation. Time off without pay may be granted for serving as a pallbearer at a funeral.

**C9. JURYDUTY** When an employee is required to appear for jury duty, the absence will be excused and paid. Employees must notify management as soon as being informed about jury duty and continue to call in daily. A copy of the jury summons and a letter-of-service from the Clerk-of-the-Court must be turned in to the office. Employees are expected to return to work as soon as released from jury duty if there is one hour or more remaining on their regular work schedule.

Jury duty does not include being a witness or any other type of court appearance or other legal business.

**C10. INJURY LEAVE AND WORKERS' COMPENSATION INSURANCE** Employees are covered by Workers' Compensation Insurance while in the performance of their assigned duties. An employee who is injured while working or develops an occupational disease must report it immediately to the supervisor or department head so that proper medical care can be provided.

During an absence from work due to a job-related injury or illness, it is very important for the injured employee to stay in close contact with the treating physician, the insurance company, and the supervisor. A doctor's release will be required before returning to work.

The W/C insurance policy pays for reasonable and necessary medical costs, and also pays for part of the wages lost if more than seven days of work are missed due to an injury. However, injuries will not be covered by W/C insurance, and no benefits will be available, if caused by intoxication, intentional infliction, horseplay, off-duty recreation, or an Act of God. This is in accordance with Texas insurance regulations.

Accrual of vacation leave, and sick leave will not continue when on Workers' Compensation injury leave since the employee is not actively at work.

**C11. FUNERAL LEAVE** Employees are eligible for paid time-off in the event of a death in the immediate family --- which includes persons related to the employee within the third degree through "Relationship by Blood," and within the second degree through "Relationship by Marriage." (Refer to Exhibit A for details.) The time off should be taken between the time of the passing and the funeral. If additional time-off is needed, an employee may use available sick leave or vacation leave, if approved by the Department Head.

The authorized paid leave shall be:

First Degree	5 paid days
Second Degree	3 paid days
Third Degree	3 paid days

**C12. MILITARY LEAVE** Military leave-of-absence is granted as required by the Uniformed Services Employment and Re-Employment Rights Act (USERRA) of 1994, and recent amendments. Such leave is excused and with pay for up to 15 calendar days per year for summer camp, field training, or other service; and guarantees a job upon return if all conditions of the Federal regulation are met.

Upon completion of the military leave, the employee will be restored to his/her former position, or an equivalent position, with full seniority and benefit entitlements.

**C13. VOTING** Registered voters usually have time to vote without interfering with work schedules. However, an employee is entitled to time off to vote if the polls are not open at least 2 hours before or after their scheduled work hours. The City of Beeville encourages active civic participation.

## **D. ADDITIONAL BENEFITS**

**D1. GROUP INSURANCE** On the first of the month following 60 days of employment, full-time and part-time employees working 30 or more hours a week will be covered by a group insurance plan, which includes hospitalization and term life insurance. The entire premium for the employee will be paid by the City. If an employee chooses to include his/her family in the hospitalization plan, the employee should contact the insurance representative and make the necessary arrangements. The additional premium for spouse and dependent coverage will be paid by the employee through payroll deduction. Temporary employees are not eligible for group insurance.

Insurance programs are periodically reviewed --- coverage, premiums, co-pays, deductibles, limits, and other insurance specifics are subject to change.

**D2. RETIREMENT PLAN** Full-time employee and a part-time employee working more than 1000 hours per year are to join the City's retirement plan. The Finance Director's office will provide details of the retirement plan, which is subject to change.

### **D3. UNIFORMS AND WORK GEAR**

- (1) **UNIFORMS** Each department may, with the approval of the City Manager require uniforms for all or designated positions within the department. A portion of the initial cost and normal maintenance costs will be paid by, or reimbursed, to the employee by the City. Any portion of the cost charged to the employee will be deducted from the employee's payroll check. Each employee's department head can supply the details about uniforms and the costs. Uniforms should not be worn during non-working hours and should not be worn at inappropriate places, such as social events, bars, or other job sites.
- (2) **WORK GEAR** Certain jobs require the use of special gear, raincoats, boots, gloves, hard hats, etc. The City will furnish this equipment the first time and replace it when it is worn out due to normal wear and tear. Any employee who loses or damages gear issued will be required to replace the item before being allowed to return to work.
- (3) **AT SEPARATION** The cost of any uniforms, hard hats, boots, raincoats, tools, or other gear or equipment issued to the employee but not returned in good condition (other than normal wear and tear) will be deducted from the employee's final paycheck.

## **E. EQUAL EMPLOYMENT OPPORTUNITY**

**E1. NON-DISCRIMINATION POLICY** The City of Beeville is an Equal Opportunity Employer and does not discriminate in employment or services because of race, color, national origin, gender, age, religion, disability, or sexual preference. This policy applies to all actions, conditions, and privileges of employment, including recruitment, selection, compensation, benefits, promotions, training, social activities, and discipline.

**E2. SEXUAL HARASSMENT POLICY** Employees are expected to treat each other with dignity and respect. The City will not tolerate any form of discrimination or harassment by employees, managers, or vendors. The City prohibits sexual harassment and strives to maintain and work environment that is free of sexual harassment, intimidation, and sexual exploitation.

Sexual harassment includes physical, verbal, written, or visual annoyance, and includes any form of sexual activity: requests for sexual favors; kidding, teasing, or



joking; foul or obscene language; display of revealing or pornographic printed material; physical contact such as touching, blocking movements, kissing, pinching, or brushing the body; and whistling, staring, or winking.

Conduct is considered to be harassment when

- (1) Submission to such conduct is made a condition of employment,
- (2) It is the basis of an employment decision,
- (3) It is unwelcome, or
- (4) It has the purpose or effect of unreasonably interfering with an individual's work performance
- (5) Threatening reprisals after a negative response to sexual advances,
- (6) Comments about an employee's body or dress
- (7) Suggestive obscene letters, notes, invitations, emails, texts, or voicemails

### **E3. HARASSMENT COMPLAINT PROCEDURE**

Employees who believe they have been sexually harassed on the job or who are aware of the harassment of others must provide a written or verbal complaint to their Department Supervisor as soon as possible. The complaint must include details of the incident(s), names of the individuals involved and the names of any witnesses. Supervisors and Managers must immediately refer all harassment complaints to the City Manager or designated representative. If the complaint involves any employee listed below, then the City Council shall be advised immediately of said complaint.

- City Manager
- Asst. City Manager / City Secretary
- City Attorney
- Municipal Court Judge
- Municipal Court Clerk

*All incidents of sexual harassment that are reported, either verbally or in writing, will be investigated.* The City Manager or designated representative will immediately undertake a thorough and objective investigation of the harassment allegations. The investigation will be completed and a determination regarding all alleged harassment will be made and communicated to the employee(s) who complained and the accused harasser(s). If a complaint of sexual harassment is substantiated, appropriate disciplinary action, up to and including termination, will be taken.

Complaints and investigations will be conducted with confidentiality to the greatest extent possible. **Anonymity is not guaranteed**

Retaliation against an employee for reporting or threatening to report discrimination or harassment is against City policy. An employee who files a complaint of discrimination or harassment, or is part of an investigation, proceeding, or hearing related to discrimination or harassment, is protected against any form of retaliation from other employees, supervisors, or the City.

There is a separate form, which describes in detail the City's Discrimination and Harassment Prevention Policy. (See Exhibit C for details.) It must be signed by every employee and kept on file.

All employees and supervisors are required to attend sexual harassment training sessions as scheduled by City Manager

**E4. IMMIGRATION LAW COMPLIANCE** The City employs only United States citizens or persons legally admitted and authorized to work in the United States. This is in compliance with the Immigration Reform and Control Act of 1986. Each employee must complete, sign, and maintain on file the Homeland Security, Employment Eligibility Verification Form I-9.

## **F. EMPLOYMENT GUIDELINES**

### **F1. EMPLOYMENT CATEGORIES**

Regular Full-Time Employees are scheduled for and normally work 40 hours per week on a regular basis.

Part-Time Employees are classified as Part-Time, generally work fewer than 30 hours per week, and are not eligible for benefits.

Temporary Employees are hired for specific assignments or on a seasonal basis, generally 3 months or less; and are not eligible for benefits.

**F2. APPLICATION FOR EMPLOYMENT** Applicants for employment are required to complete, sign, and file an application with the Office of the City Manager. Applications for a position will be evaluated on the basis of education, experience, skill level, past performance, training, certification, and licensing according to the stated qualifications and requirements of the position. Appointment to the City Staff is made by the City Manager in accordance with City policies and procedures. Except for those positions appointed directly by City Council and Civil Service Commission.

**F3. RESIDENCE REQUIREMENTS** It is recommended, but not required, that City employees reside within the corporation limits of the City of Beeville. In the event that applicants for a position are equal in all the selection criteria listed above, preference will be given in the following order:

- (1) Resident of the City of Beeville
- (2) Resident of Bee County
- (3) Other considerations

The only exception to the above may occur when the applicant's work location is at a site outside the corporate limits of the City of Beeville. In this case it will be advantageous to the City for the employee to live close to the job site; and therefore, (1) and (2) above will not apply.

**F4. PROBATION** The first 6 months of employment is a time of training and adjustment for new employees; and a time of observation and evaluation by management. Termination may occur at any time if it is decided by the employee or management that progress or potential for success are not acceptable. Completion of the initial employment period of six months does not guarantee continued employment and does not change the status of "at will" employment.

Additionally, termination of an employee while on probationary status will not be subject to the Grievance Procedure (Refer to Section G4 for details.) unless the employees' grievance is based on discrimination or harassment as described in the City's policy. (Refer to Exhibit C for details.)

An employee may be put on 30-day probation period if management believes it is necessary for training, counseling, evaluation, or discipline.

**F5. PERSONNEL RECORDS** It is a government requirement that the City keep accurate personnel files. Such files will be in the custodial care of the City Manager or a designated individual. Personnel files are City property and may not be removed from City Hall premises unless so ordered by an appropriate court action.

Employees must notify the Finance Director's Office when there is a change in any of the following:

- (1) Address or telephone number
- (2) Marital status/name change
- (3) Training or certification
- (4) Number of dependents
- (5) Tax changes for IRS Form W-4
- (6) 24-Hour contact number

Employees may see their individual personnel file at convenient times during normal working hours. Employees will be provided a copy of any record placed in their file, and upon termination of their employment may be provided a complete certified copy of their file at no cost, if requested. Additional copies will be provided at the standard charge for producing document copies. Tampering with Personnel Files will result in disciplinary action or dismissal.

**F6. NEPOTISM** No person related to the City Council, or the City Manager within the ~~second degree of "Relationship by Marriage (affinity) or within the third degree of "Relationship by Blood"~~ (consanguinity) shall be appointed to, or selected for, any office, position or clerkship or other service to the City. (Refer to EXHIBIT A for details.)

An employee may not work under the direct supervision or line-of-authority of a person who is related by marriage or blood, as defined above and in EXHIBIT A.

**F7. MEDICAL EXAMS** The City may require a medical exam of prospective employees for a job position that requires physical labor or exertion. The physical will measure the applicant's ability to perform the essential functions of the job, with or without reasonable accommodation. If a person is directed by the City to have a medical exam, the City will pay for the cost of the exam.

**F8. REQUESTS FOR REFERENCES** Only management is authorized to provide references or information about current or former employees. All requests for references or verification of employment – in writing, by fax, or telephone calls – must be forwarded to the Office of the City Manager.

**F9. PERFORMANCE EVALUATION** an evaluation and discussion of job performance must be done when an employee is being considered for promotion. New employees must be evaluated at the end of the initial employment period of six months, and again at the end of the first year. Performance appraisal is a communication tool that has several benefits:

- (1) Allows employees to receive current information about job performance, including strong points and areas that need improvement.
- (2) Requires management to consider and discuss with the employee plans and goals for the next year.
- (3) Provides a basis on which to consider performance, training, promotion, leadership, compensation, and discipline.

**F10. INTIMATE RELATIONSHIPS** A supervisor, manager, or department head involved in a personal relationship --- such as romance, living together, or sexual activity --- with another employee, must disclose this information to upper management. A supervisor, manager, or department head in such a relationship is prohibited from serving in a decision-making role for the other employee.

**F11. PROMOTIONS** An employee may receive a promotion in various ways:

- By having his pay range increased while his job title remains the same; or
- Moving to a different job title having a higher pay range; or
- Obtaining a qualifying certification of license; or

- Passing a competitive examination, such as for police officers

Any advancement will be based on performance, education, experience, skill, knowledge, the ability to get along with others, and length-of-service. Promotions are given careful consideration before an advance is made. The department head may initiate promotion action accompanied by a memo to the City Manager describing the condition(s) which justify the promotion. Promotions may be made with the approval of the City Manager, provided sufficient funds are in the budget for the pay increase.

- (1) Promotion to higher pay range for the same job title: To be raised to a higher pay range while retaining the same job title, the employee must have a record of outstanding performance of his duties, a desire to improve his performance, a positive attitude, good conduct, and continuing service with the City for at least one year. Promotion in this category is limited to four pay ranges of the employee's present range. Promotions under this condition does not require a six- months probationary period.
- (2) Promotion to a different job title having a higher pay range: When an opening occurs in a higher job title, qualified City employees will automatically be considered. If they are found to be the most qualified applicant, they will be promoted to that position. If outside applicants have equal qualifications the City employee will be given preference. If an employee is promoted to a higher position he/she will again be required to satisfactory complete a six- month probationary period. There will not be a limit to the salary range increase from the employee's current range.
- (3) Police promotions within the ranks require passing a competitive examination along with proper prior performance that indicates the ability to serve in a more responsible capacity.

## **F12. DEMOTIONS**

A demotion may occur in two ways.

- (1) One type of demotion is by having an employee's pay range and/or step decreased while the job title remains the same.
- (2) The other is a demotion to a job title (and duties) having a lower pay-range and/or step. An employee may be demoted at his own request or the department head may direct that there be a demotion if the employee cannot meet the requirements of the present job or as a disciplinary measure.
- (3) The City Manager must be notified when a Demotion is being considered; and the City Manager must authorize such action.

An employee may appeal a demotion, following the process established under Grievances. (Refer to Section F13 for details.)

**F13. GRIEVANCES** Complaints, misunderstandings, personality conflicts, and other concerns should be taken care of as soon as possible. A complaint is anything that an employee feels is wrong, unfair, illegal, or against City policy. If an employee complaint is not resolved the employee may file a grievance in writing.

#### Grievance Procedure

- (1) Step 1 Grievances must be made first to the employee's supervisor.
- (2) Step 2 If the complaint or grievance is not settled or satisfaction is not obtained by the employee from the supervisor, the employee should go to the department head. (See EXHIBIT B – Organizational Chart.) It is the duty of the department head to make known to the City Manager the status of every grievance, from its inception through the period of discussion with the employee. If the employee is still not satisfied, the employee may appeal to the City Manager.
- (3) Step 3 The City Manager will hear the appeal by appointment at a time and on a date, convenient to both parties. It is in the best interest of both the employee and the City that formal appeals be submitted or confirmed in writing. The City will provide responses in writing.
- (4) Step 4 If the employee is not satisfied with the decision of the City Manager, the employee may appeal to the City Council. Appeals to the City Council must be submitted in writing to the City Secretary no later than thirty (30) calendar days after receipt of the City Manager's decision. Whenever the thirtieth (30) day falls on a day the City Hall Offices are closed, then the next business day after that will be the last day that an appeal will be accepted. An employee's failure to take such action within the prescribed time period will constitute the employee's loss of further right of appeal on the matter to the City Council. Timely appeals submitted in the proper manner will be considered by the City Council within thirty (30) days after receipt and will be heard by the City Council privately under the appropriate exception of the Open Meeting Act.

Employees are advised that they must not contact City Councilmen in person concerning a pending appeal. Members of the Council who sit at the appeal hearing are much like judges. It is unethical to contact them personally in advance of the hearing and thus attempt to persuade them one way or the other. Hearings before the Council will be "*de novo*" which means "from the beginning." The City Council will render a decision in writing within a reasonable time. Copies of the decision will be distributed only to the employee and /or his attorney; and a copy will be placed in the employee's personnel file.

Matters of personnel complaints are in most cases personal to the employee. Therefore, no public statements concerning them will be made by anyone involved in the grievance process.

## **G. CONDITIONS FOR SEPARATION**

**G1. RESIGNATION** To resign in good standing an employee must submit a resignation in writing to the department head at least two weeks before the effective date of the resignation.

Resigning employees must return all City property on or before the last day of employment; including City-owned keys, equipment, tools, written material, and uniforms.

After approval by the respective department head, the resignation will be forwarded to the City Manager's office along a final evaluation of performance. An employee who gives less than two weeks' notice is subject to the loss of terminal pay, sick leave pay, and vacation pay, plus will not be eligible for rehire by City. See the paragraph below on Severance Pay (Section G4).

**G2. DISMISSAL** A department head may terminate an employee at any time for just cause, as determined after careful and factual consideration. An employee who is terminated will have an explanation of the reasons for dismissal. The department head will advise the employee of his or her shortcomings in writing prior to dismissal in all cases involving poor attitude or unsatisfactory performance. A copy of the letter will become a part of the employee's personnel record. Appeal of such action should follow the Grievance Procedure. (Refer to Section F13 for details.) The City Manager must be notified of all dismissals.

**G3. LAYOFF:** Individuals to be laid off will be determined by the City Manager upon recommendation from the department head. When layoffs are required they will be based upon budgetary constraints determined by the City Council. Two weeks written notice will be given to full-time and part-time employees. Temporary employees will be told at the time of employment the nature and status of their employment and may not receive two weeks' notice of a layoff.

**G4. SEVERANCE PAY** Employees will receive Severance Pay at the employee's current rate of pay at the time of separation, as described below. An employee who gives less than two weeks' notice, is discharged for dishonesty, is discharged for destruction or theft of City property, or is discharged for assault on another employee will not be paid severance pay.

- (1) Vacation Leave Vacation Leave value will be measured at 100% of the employee's accumulated Vacation Leave but cannot exceed two hundred forty (240) hours.
- (2) Sick Leave Sick Leave value will be measured at 50% of the employee's accumulated Sick Leave but cannot exceed one hundred and twenty (120) hours.

- (3) Compensatory Time Unused compensatory time will be paid to an employee upon termination of employment but cannot exceed two hundred forty (240) hours.
- (4) Military Leave An employee who is granted military leave of absence and who does not return to work will be paid Severance Pay, unless it was previously paid at the start of the military leave. The estate of an employee who dies while employed by the City will be paid the employee's Severance Pay.

**G5 BANKEDLEAVE** Fulltime employees who were employed with the City of Beeville as of midnight April 30, 2006 will be eligible for "Banked Leave" which will be payable to qualified employees upon separation of employment with the City. "Banked Leave" will be based on the following:

- (1) Employee's Vacation and Sick Leave will be measured and valued at the employees' current rate of pay as of midnight April 30, 2006.
- (2) Vacation Leave will be measured at 100% of the Employee's accumulated Vacation Leave.
- (3) Sick leave will be measured at 50% of the Employee's accumulated Sick Leave.
- (4) The Total hours and dollar value of Employee's Vacation and Sick Leave will be recorded, kept on file and referred to as Employee's "Bank Leave".

## **H. EMPLOYEE RESPONSIBILITIES**

**H1. ATTENDANCEANDPUNCTUALITY** City of Beeville expects each employee to report to work on a reliable and punctual basis. Absence, late arrivals, and early departures from work burden other employees and limit customer service. Employees must contact the immediate supervisor or department head at least one-hour before the start-of-the-shift if they are going to be late or absent. Notification can be by telephone or voicemail.

If absence is for three or more consecutive days due to personal illness, a doctor's release will be required before returning to work. The release must be for "full-duty" with no restrictions.

Tardiness or absenteeism will lead to disciplinary action, up to and including termination of employment. When an employee fails to report for duty without notification to immediate supervisor or department head for two consecutive days (no



call/no show), the employee will be terminated; it will be considered as job abandonment.

**H2. CONFIDENTIAL INFORMATION** Employees are required to protect and properly use personnel, customer, and business information available to them; and may not use, discuss, copy, print, share, distribute, transmit, or sell data about City of Beeville or its customers, suppliers, vendors, or employees, unless it is for official business purposes and in the best interest of the City.

Salaries, wages, commissions, expenses, costs, City revenues, internal accounting records, customer information, and similar information are not to be copied, discussed, or shared. Information should only be used for official business, with a legitimate need-to-know.

**H3. DRESS AND APPEARANCE** Employees are, in fact, representatives of the City, and therefore, personal appearance is important. There are no particular policies on hair, hair length, beards, mustaches, clothing, jewelry, etc., but it is a requirement that employees be as neat and clean as their job will allow. Appropriate clothing is required, depending on the department and the job title of each employee. Department heads will inform employees of the work attire that will be expected or required.

#### Guidelines

- City uniforms, when appropriate, may or may not be mandatory depending on the department.
- Employees must wear business attire. Appropriate jewelry, make-up, hats.
- Hair must be neat, combed, and properly groomed, including facial hair.
- Service employees must wear appropriate work shoes, preferably a work boot.
- Employees may not wear clothing with lettering or pictures that would be offensive to other employees or the public.
- Management reserves the right to discuss dress, grooming, and hygiene with any employee if appearance is distracting, distasteful, offensive, or unsafe.
- Anyone not dressed in business attire will be sent home without pay until the problem is corrected.
- Failure to comply with above will be subject to disciplinary action as per Section J.

**H4. HOUSEKEEPING** Housekeeping is everyone's responsibility. The appearance and cleanliness of public areas, shops, lunchrooms, storage areas, parking lots, and grounds are a reflection of City of Beeville standards. Employees are expected to contribute to the cleanliness of City facilities and property when possible. Each employee's immediate work area must be kept neat, safe, and uncluttered.

**H5. USE OF ELECTRONICS** Technical resources ---including computers, fax machines, Internet access, voice mail, e-mail, telephones, and other electronic equipment that are available at work---are for business use only. Employees have no right of privacy regarding any information or file created or maintained by or on City equipment. Employees are not permitted to play games on City-owned or personal computers or other electronic devices during working time.

There are many important considerations when creating, storing, copying, sending, or receiving information or messages through computer or telephone lines. These concerns include privacy, confidentiality, obscenity, discrimination, data security, copyright infringement, piracy, defamation, jurisdiction, and other legalities. Creating, viewing, sending, forwarding, printing, or saving offensive, obscene, pornographic, or illegal material is prohibited. Computers and computer files may be monitored and/or copied for quality assurance and compliance purposes.

**H6. TELEPHONE USE** Telephones are to be used primarily for City business.

- (1) Calls from the public and vendors are always a priority.
- (2) Courtesy and attention to detail are very important, since many business transactions are done by telephone.
- (3) Answer promptly and clearly; do not put someone on hold until you know who it is; do not keep the caller on hold very long; transfer carefully; take accurate messages and numbers; and return calls as soon as possible.
- (4) Personal telephone calls are discouraged and must be kept to a minimum.
- (5) Personal cell phones are permitted, but should remain on "silent," "vibration," or "pager" mode during working hours; and may not interfere with work or distract other employees. Personal calls are discouraged and must be kept to a minimum. It is best to make and receive calls during breaks or the lunch period.
- (6) The City reserves the right to monitor and/or record telephone calls on City telephone systems.

**H7. VISITORS AND WORK INTERRUPTIONS** Employees must limit personal visiting, both in the number of visitors and the amount of time spent talking – in person or on the telephone. Frequent visitors or lengthy visits are distracting and disruptive to City business and are not allowed. Abuse of this privilege after warning may result in disciplinary action.

Emergency messages will be forwarded to employees as soon as possible. Other messages will be forwarded to employees at the supervisor's convenience.

**H8. CITY VEHICLES** Certain City employees are assigned City owned vehicles to conduct City business. These vehicles may not be used for personal use. Transporting of employee's family members is not permitted unless specifically approved by the City Manager.

Employees should be aware that persons other than employees riding in City vehicles may not be covered by insurance in the event of an accident or injury. This places a tremendous liability on the employee individually and the uninsured rider in the event of an accident. The Finance Director's office can provide details concerning the insurance coverage carried on specific vehicles.

Proper use of vehicles is required:

- (1) Operators must have a valid Texas Driver's License, and the Texas Motor Vehicle Record (MVR) must be clean and acceptable to the auto insurance provider.
- (2) Gas tickets and other expenses must be clearly marked and accounted for.
- (3) The user of the vehicle must keep the vehicle clean. Cleaning includes inside, outside, windows, and trash.
- (4) The immediate supervisor or department head must be informed about any maintenance, safety problems, or other concerns.
- (5) The vehicle, the keys, parts, tools, and supplies must be safeguarded.
- (6) Turn off the vehicle and lock the doors when not in use. Excluding police vehicles
- (7) No passengers are allowed to ride, except when specifically, authorized.
- (8) No vehicle will be operated under the influence of alcohol or drugs.
- (9) Seat belts must be worn at all times.
- (10) Accidents and damage must be reported immediately to management.
- (11) An employee observed or ticketed for driving a City vehicle carelessly, recklessly, or illegally will be subject to disciplinary action.
- (12) An employee, driving a city vehicle, who is involved in an accident or damages a city vehicle will be sent to seek medical treatment, if necessary, and will be subject to a drug screening, immediately following an accident.
- (13) Weekly vehicle inspections must be done and submitted to their immediate supervisor and City Secretary/ Asst. City Manager for filing.
- (14) Pre-Maintenance Check "tire pressure, oil, all fluids, tires, lights, etc. must be checked twice a week on Monday and Friday for all city owned vehicles and daily inspections of the interior to ensure they are cleaned.

Abuse of the use of City owned vehicles is cause for reprimand and dismissal.

**H9 FACILITIES / EQUIPMENT / SUPPLIES** Parts, tools, equipment, office supplies, computers, electronics, furnishings, vehicles, and workspace are for business use only and may not be borrowed, used, or consumed for personal or other purposes. Such items remain the property of the City, even if issued or assigned to individual employees; and must be returned upon request or termination.

**H10. POLITICAL ACTIVITIES** Employees are cautioned that because of their status as employees of a governmental entity (City of Beeville), participation in political activities may be restricted or prohibited by State Law. This applies especially to those seeking a political office or position. The City is subject to any applicable laws, and therefore, before an employee participates in politics an attorney should be consulted to determine the legality of the proposed political activities. Neither the City, nor any of its officers, administrators, or attorney, takes the responsibility for advising City employees in this matter; and they will not be liable to the consequences resulting from such activities.

No employee of the city will use a City vehicle or equipment for political purposes or in pursuit of any political activities. Violations of this prohibition will be grounds for immediate dismissal.

**H11. OUTSIDE EMPLOYMENT** as a matter of general policy, the City prefers that employees not have other employment. In some instances, it is difficult to do a good job in primary employment when an employee's rest and relaxation hours are devoted to other work. However, the City realizes that circumstances may make it necessary to work during off-hours from City employment. Employees should make this known in writing to their department heads, if applicable.

Loyalty, which includes adequate performance of duties, must be first demonstrated to the primary employer. If, as the result of secondary employment, an employee cannot perform City work properly and fully, the employee will be requested to terminate such off-duty work.

**H12. DEPARTMENT HEADS** The City is organized so that the various functions can be directed by a Department Head having experience in that area. (Refer to EXHIBIT B). Department Heads are in complete charge of their respective departments. Consequently, all employees are responsible to a Department Head.

The role of the City Manager with respect to personnel matters is generally limited to working with the Department Heads, but the City Manager is responsible for all City employees. On occasion the City Manager hears grievance appeals from employees who are not satisfied with the decision of the Department Head. If an employee is not sure who is the head of his department he may ask his immediate supervisor.

## I. TRAVEL EXPENSES

**11. CAR ALLOWANCE** Employees who receive car allowances for use of privately owned vehicles for conducting City business are responsible for providing the proper documentation, compliance with any rules and regulations, payment of any taxes, etc., required of the individual employee by the Internal Revenue Service.

**12. MILEAGE** When approved by the City Manager employees will be reimbursed for use of private vehicles for City business. Employees will be paid the rate per mile approved by the City Council. The employee may contact the Finance Director's office for the current rate per mile being paid. When several employees are traveling to the destination only one vehicle should be used and only the person furnishing the vehicle shall be reimbursed for mileage.

Those Employees who receive a monthly auto allowance are not eligible to receive mileage reimbursement for trips within two hundred (200) miles of Beeville. This includes Austin, Corpus Christi, and San Antonio. For a trip exceeding two hundred (200) miles said employee shall be eligible for reimbursement at the rate set by IRS mileage guidelines.

**13. LODGING AND MEALS** When approved by the City Manager in advance, employees will be reimbursed for the normal and reasonable cost of lodging and meals when necessary to conduct City business. Employees are expected to be reasonable and moderate in their selection of lodging and meals. Receipts are required for reimbursement.

Employees may submit a request to the City Manager to receive advance per diem for meals. The City will use the IRS guidelines for selected cities.

**14. AIRFARE AND RENTAL CARS** When approved by the City Manager, employees will be reimbursed for the normal and reasonable cost of airfare and rental cars when necessary to conduct City business. Employees are expected to obtain the least expensive fares and rates available or pay the difference themselves. Receipts are required for reimbursement.

**15. ADVANCE ON EXPENSES** The issuance of advance travel expense money is discouraged, especially when the employee plans to be out of town for only a few days but will be done upon approval of the Finance Director. The actual cost must be documented and any surplus (if any) returned to the City.

**16. OFFICIALS AND REPRESENTATIVES** The above subsection 11 through 15 shall also apply to all elected officials and appointed representatives of the City when conducting business for the City in their official capacity.

**17. TRAVEL TIME** Travel time during normal work hours will be counted as attendance at work.

## **J. BEHAVIOR AND DISCIPLINE**

The City of Beeville places a priority about its reputation and the quality of its services. Management will review any action or activity that hurts the City, its reputation, or normal City operations.

It is not possible to list every type of unacceptable behavior at work, but conduct should be guided by courtesy, common sense, a desire for quality, safe work habits, and honesty. Behavior that is illegal, unsafe, or non-productive will be cause for disciplinary action; which could include counseling, warning, probation, suspension, or termination. Typical examples are included in the list of Work Rules below.

This section supersedes all other disciplinary action.

**J1. WORKRULES** Management is responsible for maintaining an efficient, orderly, and safe operation, and not withstanding any other provision contained herein, will take appropriate disciplinary action in case of the following:

- (1) Supplying false information on the application for employment.
- (2) Misrepresentation of skills and abilities in Job Interview.
- (3) Failing to stay or report for overtime.
- (4) Wearing offensive or inappropriate clothing.
- (5) Behavior detrimental to the City of Beeville.
- (6) Improper Financial Responsibilities.
- (7) Failure to comply with safety regulations.
- (8) Unauthorized or unreported absence
- (9) Tardiness or absenteeism; coming late or leaving early
- (10) Abuse or misuse of a City owned vehicle
- (11) Violation of the policy on political activities
- (12) Conviction of a felony.
- (13) Conviction of a misdemeanor that would be detrimental to his function as a City employee.
- (14) Actions for which the employee may or may not be responsible, but place fellow employees in danger
- (15) Insubordination or disobedience, such as refusing to work as instructed
- (16) Neglect or willful damage, waste or theft of City owned property
- (17) Assault on a fellow employee
- (18) Actions for which the Employee is responsible that hinders or prevents them from properly and efficiently carrying out their job responsibilities, and/or hinder or prevent them from carrying out the job responsibilities of their department in conjunction with fellow employees
- (19) Tampering, modifying or changing personnel files or city records
- (20) Failure to keep accurate time sheets and work records as instructed
- (21) Yelling, shouting, arguing, or causing a disturbance, particularly with a customer or another employee
- (22) Falsification of any City or customer record, document, or file
- (23) Unauthorized use of confidential customer or personnel information
- (24) Unauthorized or inappropriate use of equipment, inventory, supplies, facilities, or vehicles

- (25) Unacceptable quality or speed of work; low productivity or poor performance
- (26) Failure to dress properly for the job or to wear the City uniform as required
- (27) Failure to wear proper work shoes as instructed
- (28) Failure to follow work, safety, or security instructions, policies, or procedures
- (29) Failure to report any accident, injury, or damage immediately – no matter how small; immediate means the same day as the occurrence
- (30) Possessing, using, being under the influence of, or distributing alcohol or illegal drugs while at work or on City
- (31) Theft of City, customer, or employee property
- (32) Failure to report knowledge of theft or falsification/destruction of documents
- (33) Using profanity or foul language; especially when directed at an employee or customer
- (34) Possessing weapons or firearms on City property or in City vehicles, except as permitted by State of Texas law
- (35) Smoking in unauthorized or unsafe areas
- (36) Failure to maintain a clean and orderly work area or vehicle
- (37) Creating a sanitation problem or an unattractive work area
- (38) Giving unauthorized, negative, or critical opinions, evaluations, or information to customers or suppliers about services, prices, or employees
- (39) Failure to follow Equal Employment Opportunity and Non-Harassment/ Non-Discrimination policies

Management will consider the circumstances of each situation, including seriousness, frequency, cost of damage or loss, and employment history. Violations will result in disciplinary action; which could include counseling, warning, probation, suspension, or termination.

**J2. TEMPORARY SUSPENSION DURING INVESTIGATIONS** When an employee is accused of an act that could result in a serious discipline or dismissal, the City Manager has the right to suspend the employee with or without pay while an

Investigation is being conducted. If it is determined that the employee was not at fault, ~~the employee will be reinstated and paid for the time he/she was suspended, including the restoration of lost vacation and sick time.~~

## **K. SECURITY**

**K1. LOSS CONTROL** Management is concerned about protecting the supplies, equipment, tools, parts, facilities, vehicles, and other assets of the City, employees, customers, and visitors. Employees must immediately report any suspicion or knowledge of customer, vendor, or employee dishonesty. The City is not responsible for the loss of personal property at work, including loss or damage of a personal vehicle.

**K2. SOLICITATION** Employees are not permitted to buy, sell, solicit, distribute, or circulate non-work-related materials or products during scheduled working time. This includes the working time of the employee soliciting and the one being solicited. Employees should not conduct personal business at work or run personal errands on City time.

**K3. INSPECTIONS** The City reserves the right to inspect the property and person of all individuals while on City property or in City vehicles. This right includes, but is not limited to, packages, desks, work areas, and toolboxes on City property

Employees should not bring personal items to work that are not job-related, including weapons, fireworks, expensive jewelry, pornographic material, audio-visual equipment, drugs, alcohol, etc.

## **L. SAFETY**

The City is very concerned about the safety of City employees.

It is the intention of the City to provide a safe and healthy workplace for its employees through the establishment and enforcement of safety policies, safety training, and safe practices. Every employee should develop safe work habits.

### **L1. SAFE PRACTICES**

- (1) Incorporate safety into the planning, design, purchase, construction, use, and maintenance of all equipment, facilities, vehicles, services, and activities
- (2) Use only approved ladders -- not boxes, chairs, or other objects to climb on
- (3) Follow OSHA and other government regulations that relate to fire, hazardous materials, chemicals, cleaning products, working conditions, and accident prevention
- (4) Follow the manufacturer's recommended procedures for the assembly, operation, use, installation, and repair of machinery, equipment, instruments, and other devices



- (5) Report every incident of injury, damage, loss, or near-miss; no matter how small
- (6) Use first-aid and medical supplies only when necessary and while at work
- (7) Always inform management of a need for first-aid, other medical treatment, or medicine
- (8) Running, horseplay, and practical jokes are not allowed
- (9) Good housekeeping is required. Keep work areas clean from trip hazards, spills, dirt, trash, and other hazards
- (10) Keep doorways, aisles, stairs, and exits clear at all times
- (11) Loose or torn clothing, gloves, jewelry, or long hair may not be worn when using or working around powered equipment or moving parts
- (12) Wear safety shoes when exposed to heavy lifting or falling objects
- (13) Use proper lifting procedures; bend the legs – not the back; keep load close to the body; keep the body erect; and do not reach or twist while lifting or carrying a load
- (14) Cooperate fully in accident or injury investigations
- (15) Wear seat belts and obey traffic laws while driving any City vehicle
- (16) Smoke in the designated areas only - which is outdoors
- (17) Comply with danger and warning signs
- (18) Follow “best practices” and industry-recommended procedures regarding work, customer service, hygiene, sanitation, and trash disposal
- (19) Follow OSHA safety regulations and the Hazard Communication Plan in all aspects of work
- (20) Know where fire extinguishers are in the facilities and the vehicles; and know how to use them. Each employee is authorized to use a fire extinguisher when necessary

Safety rules must be followed. An unsafe practice or act may result in disciplinary action; which could include counseling, warning, probation, suspension, or termination.

**L2. SMOKING** The City is committed to providing its employees with a safe and comfortable working environment. Due to increasing evidence of the dangers of tobacco smoke and tobacco products, the City seeks to restrict the use of tobacco.

- (1) Smoking is not permitted inside City facilities and vehicles; only outdoors.

- (2) Smoking material must be disposed of properly in approved containers.
- (3) Signs will be posted in the facilities, such as "No Smoking," or "Thank You for Not Smoking."
- (4) Smoking is permitted only in designated areas on City properties, which are located only outdoors.

**L3. DRUG ABUSE POLICY** The City does not allow the possession, use, sale, distribution, transfer, or influence of alcohol, marijuana, or other non-prescribed drugs while on the premises or in the performance of work. Alcohol may not be consumed during normal working hours.

Violations will be cause for disciplinary action. Any person caught possessing, using, promoting, or distributing alcohol or illegal drugs while on duty will be terminated and reported to the police or other proper authorities. If it is necessary to take prescribed medication that may affect behavior, notify management about the possible side effects. There is a separate Drug Abuse Policy that fully explains the City's concerns and policies. It must be read and signed by every employee. (Refer to Exhibit D for details).

## **RELATIVES DEFINED**

This information is provided for the purposes of interpreting "nepotism", which means favoritism or preferential treatment, as defined in VTCA Government Code, Chapter 573, §§573.021 - .025

### **CONSANGUINITY** (Officer's or Employee's Relationship by Blood)

First Degree:        Father, Mother, Son, Daughter

Second Degree:     Brother, Sister, Grandfather, Grandmother, Granddaughter, Grandson

Third Degree:      Aunt, Uncle, Niece, Nephew, Great Granddaughter, Great Grandson, Great Grandmother, Great Grandfather

### **AFFINITY** (Officer's or Employee's Relationship by Marriage)

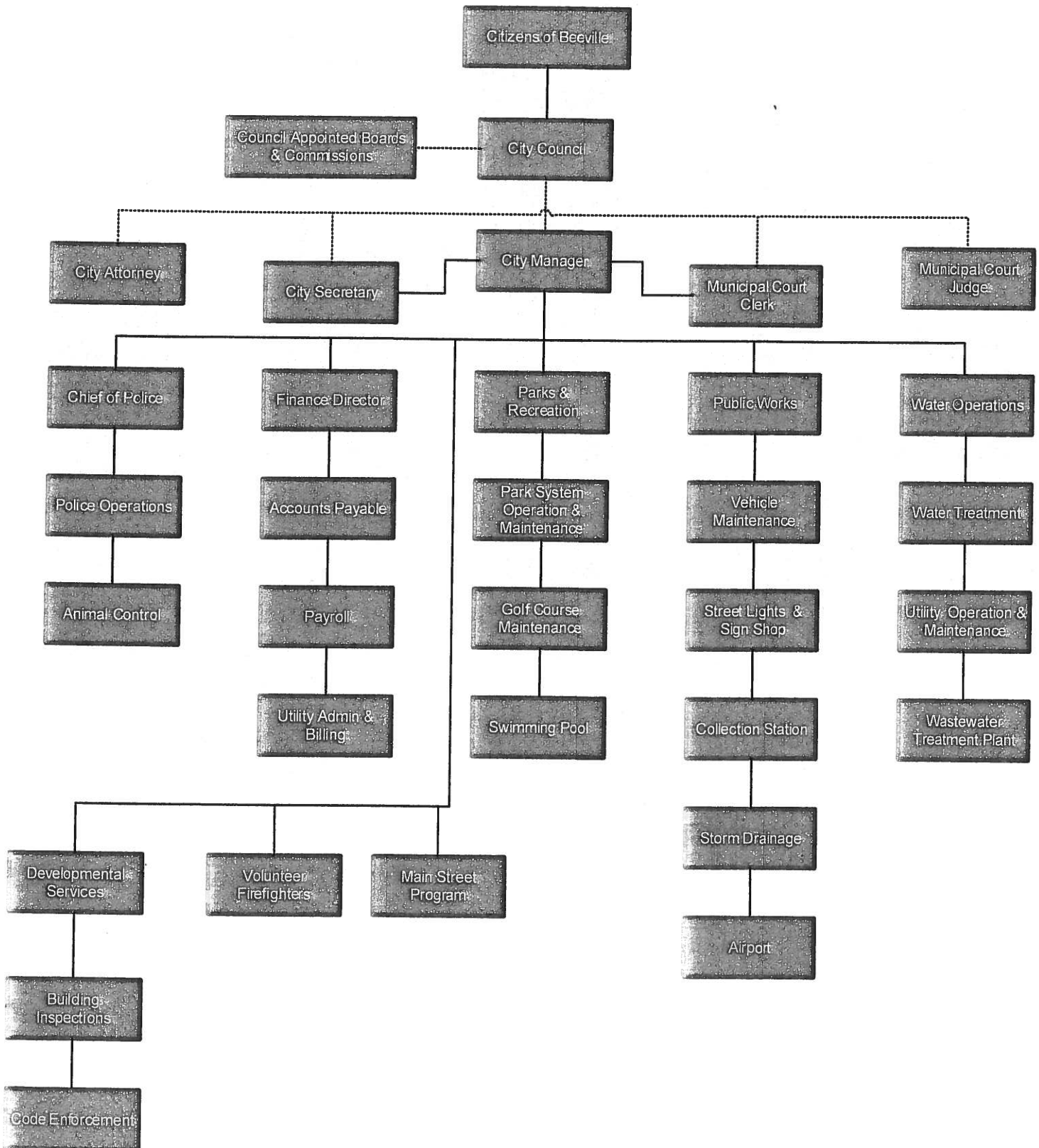
First Degree:        Spouse, Father-in-Law, Mother-in-Law, Son-in-Law, Daughter-in-Law

Second Degree:     Spouse's Brother (Brother-in-Law), Spouse's Sister (Sister-in-Law), Spouse's Grandfather, Spouse's Grandmother, Spouse's Granddaughter, Spouse's Grandson, Sister's Spouse, Brother's Spouse



CITY OF BEEVILLE, TEXAS

ORGANIZATION CHART





City of Beeville  
Discrimination & Harassment Prevention Policy

**I. Purpose**

To ensure that employees have a work environment free from unreasonable interruption, intimidation, hostility, or offensive behavior by managers, co-workers, or vendors.

**II. Policy**

City of Beeville will maintain a workplace free of discrimination and harassment of any kind and from any source, by distributing and enforcing this policy, and investigating complaints immediately and thoroughly. The employer hopes to prevent frivolous or malicious accusations, while maintaining confidentiality to the extent possible for the parties involved.

**III. Employee Responsibilities**

- A. Be certain that the offensive behavior is discriminatory or harassing on the basis of race, color, national origin, gender, age, religion, disability, or sexual preference. Let the offending person know that you do not approve of the behavior and that if it does not stop (or happens again) you intend to file a complaint in accordance with the City's policy.
- B. Find witnesses or provide other substantiation to support the complaint.

**IV. Manager Responsibilities**

- A. Refrain from all forms of discrimination and harassment.
- B. If unacceptable behavior is observed, ask the offending individual to stop immediately, while explaining the City of Beeville policy against any form of discrimination, harassment, or retaliation at work.
- C. Cooperate fully in any investigation that is based on an observation or a complaint.

**V. Definitions**

- A. Harassment – repeated, unwanted, or unwelcomed language or behavior.
- B. Hostile Environment – conduct that unreasonably interferes with an employee's job performance, or creates an intimidating, offensive, or hostile work situation.
- C. Quid Pro Quo – a manager making submission to sexual demands or favors a term or condition of employment for an employee under his or her responsibility.

**VI. Procedure**

- A. File a complaint with the Supervisor, Department Head, or the City Manager and explain your concerns in full detail; be specific and supply documentation and/or witnesses.
- B. Management will handle the complaint by making an investigation and a report of the complaint and the findings.
- C. Appropriate action will be taken, based on the findings of the investigation. Discipline against the offender could include counseling, a written warning, probation, suspension (with or without pay), or termination.

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*Employee's Printed Name*

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*Employee's Signature*

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*Date*

**EXHIBIT C**

# Declaration of Financial Interest Policy

Page 1

This policy is intended to ensure that the City of San Francisco is governed in the best interests of the people and that the City's resources are used in a responsible and ethical manner.

Section 1

The purpose of this policy is to establish a framework for the City's financial interest policy, including the identification of potential conflicts of interest and the implementation of measures to prevent or mitigate such conflicts.

Section 2

A. The City's financial interest policy shall apply to all City employees, including those who are not currently employed by the City but who have been employed by the City within the last five years. The policy shall also apply to all City contractors and vendors who are providing goods or services to the City.

Section 3

A. The City's financial interest policy shall require all City employees and contractors to disclose any financial interest that may conflict with the City's interests. The disclosure shall include the name of the entity, the nature of the interest, and the estimated value of the interest.

Section 4

A. The City's financial interest policy shall prohibit any City employee or contractor from participating in any financial transaction with the City if the transaction would create a conflict of interest. The prohibition shall apply to all financial transactions, including the purchase of goods or services from the City.

Section 5

A. The City's financial interest policy shall require all City employees and contractors to recuse themselves from any decision-making process in which they have a financial interest. The recusal shall be effective from the beginning to the end of the decision-making process.



# DRUG ABUSE POLICY

## STATEMENT OF PURPOSE

The City of Beeville recognizes that drug and alcohol abuse at work has become a major concern in our area. The City believes that reducing or eliminating drug and alcohol abuse will improve the safety, health, and quality of employees' work performance. The goal of the drug abuse policy is to maintain a drug-free workplace for employees, and to prevent accidents or injuries.

## CITY POLICY

Applicants, employees, vendors, customers, and visitors are not permitted to possess, buy, sell, consume, or be under the influence of drugs, inhalants, intoxicants, or other controlled substances while at work or on City business.

Employees who believe, or have been informed, that their use of a legally prescribed drug may adversely affect their behavior or pose a safety risk, must report such drug use to management in order to ensure the safety of themselves, other employees, and customers.

## DEFINITION OF DRUG

The term "**drug**" as used in this policy includes psychoactive substances such as narcotics, heroin, cocaine, marijuana, stimulants, depressants, hallucinogens, alcoholic beverages, and abusable glue, aerosol paint, or other inhalants.

## CONSEQUENCES OF VIOLATION OF THIS POLICY

Failure to follow this Drug Abuse Policy will result in one or more forms of the following corrective actions: counseling, written warning, probation, suspension, or termination. Management will review each policy violation in order to determine the proper level of corrective action; and will consider the seriousness of the infraction, the circumstances surrounding the incident, and the record of the employee. Legal authorities will be notified in cases of illegal drug use or other drug-related activity at work.

### TREATMENT PROGRAMS

The City of Beeville does not sponsor or endorse any specific chemical dependency treatment or process, but encourages employees to voluntarily seek rehabilitation through public or private health care programs. There are many free or reduced-cost programs available from local organizations, churches, and clinics, as well as State of Texas health agencies.

### EDUCATION AND TRAINING

The City does not offer, sponsor, or require employee participation in drug abuse education or training. However, all employees are encouraged to read about and take advantage of drug abuse education programs that are widely available in our area.

### DRUG TESTING

The City of Beeville may require applicants and employees to be tested for drugs as a requirement of obtaining or retaining employment. Such tests may be pre-employment, post accident, at random, or for "reasonable cause" – which is defined as information, and/or incident or behavior that indicates a person is impaired in emotional, perceptual, physical, or intellectual capacity. Such behavior includes speech difficulties, unusual clumsiness, irrational behavior, dilated pupils, irritability, depression, euphoria, or wide mood swings.

### EMPLOYEE'S ACKNOWLEDGEMENT

I have received a copy of the City of Beeville Drug Abuse Policy. My signature and my continuing employment mean that I understand and agree to follow the policy.

\_\_\_\_\_  
*Printed Name of Employee*

\_\_\_\_\_  
*Signature of Employee*

\_\_\_\_\_  
*Date*

**EXHIBIT D**