

# CITY OF ROCKWALL POLICY STATEMENTS

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## **INTRODUCTION**

### **About This Manual**

The City of Rockwall's Policies and Procedures manual is a source of reference for supervisors and employees of the City of Rockwall. It is a series of comprehensive policies and procedures that are designed to provide a foundation for consistent and equitable human resources administration throughout the organization. It is the policy of the City of Rockwall to provide guidance to managers and supervisors in the areas of human resources management. Our policies are founded on the belief that our City's success depends on our employees' dedication to our community. The City of Rockwall strives to select, motivate, develop and retain employees who are regarded as the finest. The City expects a high level of commitment from its employees. In return, the City provides an environment in which employees can achieve both their personal and professional goals.

### **Scope of Manual**

The City of Rockwall's policies and procedures contained within this Manual apply to all employees. Different policies and procedures used by different divisions of the City may be permissible only if approved by the City Manager to ensure their compliance with City philosophy. The term "supervisor," as used throughout this Manual, refers to any employee, regardless of his or her managerial level, who is directly responsible for the work of other employees.

### **Modifications to Manual**

To assure our continued ability to respond to changing business needs, the City reserves the right to revise and revoke, or add to any or all of the policies, procedures and statements contained in this Manual without prior notice. Any modification to these policies must be submitted in writing and approved by the City Manager. The content of this Manual is only intended to be informational in nature and a guide to appropriate action, but does not represent a contractual obligation of any kind. Employment with the City is at the will of both City and the employee so that either party may terminate the relationship at anytime and for any lawful reason. For additional information in dealing with employee/supervision issues not specifically covered within this manual, clarification of items covered, and/or assistance with individual situations that may arise, contact Human Resources at 972-772-6403, 6404, or 6407 or e-mail the Director of Administrative Services or Human Resources Supervisor.



## **PURPOSE & RESPONSIBILITIES**

The City of Rockwall policies and administrative directives are established to provide employees with fair and equitable guidelines. These policies are designed to bring to the City service a high degree of understanding, cooperation, efficiency, and unity through systematic, uniform application of modern personnel practices.

The policies and administrative directives apply to all City employees. They are designed to do the following:

- a. To promote and increase effectiveness and efficiency of City services, ensuring responsiveness to the public.
- b. To provide fair and equal opportunity for qualified persons to enter and progress in the City service in a manner based on performance as ascertained through fair and practical personnel management methods.
- c. To maintain recruitment, advancement, training and tenure practices enhance the attractiveness of a City career and encourage each employee to give his or her best effort to the City and the public.
- d. To maintain consistent, up-to-date position classification and compensation plans based on the relative duties and responsibilities of jobs in the City service.
- e. To promote high morale among City employees by fostering good working relationships by providing uniform personnel policies, opportunities for advancement and consideration of employee needs and desires.

### **Clarification of Personnel Policies**

The personnel policies herein outlined may be further defined and clarified by the preparation of administrative directives, which shall be approved by the City Manager. All employees shall be provided knowledge of and access to such administrative directives. City policies may be revised at the discretion of the City Manager, with approval of City Council, who may unilaterally change any of the policies set forth herein by adoption of ordinance(s) incorporating such changes.

Employees must comply with policies or be subject to disciplinary action, up to and including termination.

## **Applicability**

These policies apply to all City employees, including full-time, part-time, and temporary employees, to the extent specified herein. Elected officials, City Attorney, Municipal Court Judge, members of appointed boards and commissions, persons employed under contract to supply professional and technical services, volunteer firefighters, and personnel appointed to serve without pay shall not be considered City Employees for purposes of these policies, except as provided under *Title VII of the Civil Rights Act of 1964*. The Volunteer firefighter policies will not conflict with this manual.


## **Dissemination**

All City employees shall be informed of the existence of these policies and all related administrative directives and each department shall keep at least one copy available for reference by its employees. An Employee Handbook, summarizing these policies shall be provided to all City employees. All employees shall be provided reasonable time while on duty to review the policies and directives. All newly hired employees shall complete an orientation in a form prescribed by administrative directive to review the personnel policies and administrative directives.

## **Division of Responsibility**

With the exception of matters reserved by the City Council, the general and final authority for personnel management rests with the City Manager. However, under the direction of the City Manager, the Director of Administrative Services shall advise management in all areas of personnel administration, including but not limited to, employee management relations, training and career development, employee health, safety, compensation, performance appraisal, and employee hiring and termination procedures. The Director of Administrative Services may delegate the responsibilities contained in these policies to other appropriate City personnel.

Department directors and subordinate management personnel are responsible for assuring adherence to the provisions of these policies and administrative directives, and for cooperating with the Director of Administrative Services on all related matters pertinent to their organizational units.

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## **EMPLOYMENT LAW COMPLIANCE**

### **Policy # 100                    Employment At-Will**


It is the policy of the City that all employees who do not have a written employment contract with the City for a specific, fixed term of employment are employed at the will of the City for an indefinite period. The employment relationship between the City of Rockwall and an individual is by mutual consent. Employment with the City is considered to be *at-will* so that either party may terminate the relationship at anytime and for any lawful reason.

The policies outlined herein should not be construed to be a contract of employment and they are not intended to create nor should they be construed to create any contractual rights to employment, either expressed or implied, between the City and any or all of its employees.

This policy may not be modified by any statements contained in this Manual or any other employee handbooks, employment applications, City recruiting materials, City memoranda, or other materials provided to applicants and employees in connections with their employment. None of these documents, whether single or combined, create an express or implied contract of employment for a definite period, or an express or implied contract concerning any terms or conditions of employment. Similarly, City policies and administrative directives with respect to any matter should not be considered as creating any contractual obligation on the City's part or as stating in any way that termination will occur only "for cause." Statements of specific grounds for termination set forth in this Manual or in any other City documents are examples only, not all-inclusive lists, and are not intended to restrict the City's rights to terminate *at-will*.

### **Policy # 101                    Equal Employment Opportunity**

It is the policy of the City to provide equal opportunity employment to all employees and applicants for employment. The City of Rockwall believes a strong commitment to Equal Employment Opportunity is more than a legal and moral obligation - it is also sound business practice to realize the potential of every individual. In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the City will be based on merit, qualifications, and abilities. Except where required or permitted by law, employment practices will not be influenced or affected by an applicant's or employee's race, color, creed, religion, sex, national origin, age, disability, marital status, military service, or any characteristic protected by law.

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This policy governs all aspects of employment, including recruitment, selection, job assignment, promotion, compensation, counseling, discipline, termination, access to benefits and training. The City will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. Any employees with questions and concerns about any type of unlawful discrimination in the workplace are strongly encouraged to bring these issues to the attention of their immediate supervisor or the Human Resources Department. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to corrective action, up to and including termination of employment.

Discrimination on the basis of age, sex or physical disability is prohibited, except where specific age, sex, or physical requirements are a bona fide occupational qualification necessary to the proper and efficient operation of the City.


Federal laws currently prohibit employment discrimination against individuals for the following reasons: race, color, religion, sex, or national origin (Title VII of the Civil Rights Act of 1964); pregnancy (Pregnancy Discrimination Act); age 40 or older (Age Discrimination in Employment Act) national origin or citizenship status (Immigration Reform and Control Act); disability (Americans with Disability Act); and military status (Uniformed Services Employment and Reemployment Rights Act).

**Policy # 102                      Separation of HR & Payroll Functions**

It is the policy of the City of Rockwall that the Human Resources and Payroll department have separate functions. The separation of functions establishes internal controls and safeguards the for each department.

**Policy # 103                      New Hire Reporting**

It is the policy of the City of Rockwall to comply with the Personal Responsibility and Work Opportunity Reconciliation Act which was signed into legislation on August 22, 1996. This legislation provides for a much strengthened Child Support Enforcement Program. The Child Support Program benefits children and families by locating non-custodial parents, establishing paternity when necessary, and establishing and enforcing child support orders.

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**Policy # 104                      Legal Postings**

It is the policy of the City of Rockwall to comply with all applicable local, state, and federal laws requiring the posting of information. All legally required posters, bulletins, or other material must be prominently displayed in locations accessible to applicants and employees.

**Policy # 105                      Texas Open Records Act**

The intent of the implementation of these guidelines is to provide for a streamlined, systematic approach for both the City and the public when public records have been requested. Public records include any information that is collected, assembled or maintained by, or for a governmental entity.

**Policy # 106                      Records Retention**

The City of Rockwall preserves and maintains records required in accordance with local, state, and federal regulation regarding the retention of City information.

**Policy # 107                      Open Government**


It is the policy of the City of Rockwall to comply with all state and local government laws and regulations related to open government. The principle of Open Government is inherent in the American form of representative democracy. Employees who work for governmental entities work with the consent of the governed, and that consent is meaningless without widespread access to government information and the decision-making process as required by law.

**Policy # 108                      Diversity in the Workplace**

It is the City of Rockwall’s policy to commit to the principle of diversity and recognize that both the workforce and the customer base is changing, and includes people from many different backgrounds.

The concept of diversity differs from both EEO and Affirmative Action. EEO laws require only that an employer treat all employees and applicants equally, while Affirmative Action laws require employer to ensure that certain protected classes of employees are represented in their workforce.

Diversity is not required by any law. Diversity is an approach to making business decisions that value individual differences and attempts to include the distinct opinions that result because of the individual’s personal characteristics, such as race, gender, religion, national origin, creed, ethnicity, age, financial background, and individual experiences.

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**Policy # 109                      Immigration Law Compliance**


The City of Rockwall is committed to employing only United States citizens and immigrants authorized to work in the United States, and does not unlawfully discriminate on the basis of citizenship and national origin.

The Immigration Reform and Control Act of 1986 as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 Service (INS) prohibit employers from hiring individuals who are not legally eligible to work in the United States. Accordingly, all employers are required to verify that every new employee is either a U.S. citizen or authorized to be employed in the United States.

**Policy # 110                      Disability Accommodations**

The City of Rockwall is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a nondiscriminatory basis. Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Upon request, job applications are available in alternative, accessible formats, as is assistance in completing the application. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position. Post-offer medical examinations are generally required. They are given to all persons entering the position only after conditional job offers. Medical records will be kept separate and confidential. Reasonable accommodation that does not impose an undue hardship on the City is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression and seniority lists. Leave of all types will be available to all employees on an equal basis. The City is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. The City will follow any state or local law that provides individuals with disabilities greater protection than the ADA. This policy is neither exhaustive nor exclusive. The City of Rockwall is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state and local laws.

Examples of accommodations include restructuring the job, offering part-time or modified work schedules, reassigning the employee to a vacant position, acquiring or modifying equipment or devices, providing qualified readers or interpreters, and making existing facilities accessible to and usable by employees with disabilities.

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An accommodation imposes an “undue hardship” on an employer if it involves significant difficulty or expense; is unduly extensive, substantial, or disruptive; or would fundamentally alter the nature or operation of the City.


**Policy # 111                      Resources List**

This policy is designed to aid in the assistance in finding resources for our employees and citizens. An Agency Resource list has been developed for anyone needing services in areas such as, financial, food, child and spousal abuse, service for the blind, elderly, disabled, aging, retired, mentally challenged, autistic, translating or interpreting services, speech or hearing problems, divorce, anger management, or parenting.

**Policy # 112                      HIPAA Privacy Regulations**

The Health Insurance Portability and Accountability Act (HIPAA) was enacted in 1996. The Department of Health and Human Services has issued privacy and security regulations that cover health plans and health care providers, including the City of Rockwall’s health plan. In accordance with HIPAA a Privacy Officer has been selected. The Privacy Officer is determined by the City Manager.

HIPAA’s Privacy Rules and Texas State Code Section 181 (effective September 1, 2003) give individuals a fundamental right to be informed of the privacy practices of their health plans and other covered entities, as well as to be informed of their privacy rights with respect to their personal health information. The Privacy Rules require “covered entities” to observe privacy standards and implement safeguards to protect “protected health information (PHI).” This law gives individuals rights to understand and control how your health information is used.

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## STANDARDS OF CONDUCT

### **Policy # 200                      Code of Ethics**


The City of Rockwall has adopted a Code of Ethics governing both officers and employees. All employees are expected to comply with the provisions of the code.

### **Policy # 201                      Ethical Behavior**

It is the intent of the City of Rockwall to provide department directors and supervisors with guidelines regarding Conflicts of Interest and their relationship to the standards of ethical behavior required of all City employees. All employees have an obligation to conduct business within guidelines that avoid actual or potential conflicts of interest. This policy establishes only the framework within which City employees are expected to perform. It provides general direction and informs employees how to seek further clarification and advice on issues related to this subject. An actual or potential conflict of interest, or the perception or appearance of a conflict of interest, occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee, a relative, or other person living in the same household, as a result of the City's business activities. A relative is defined as any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

Day-to-day business activities with outside firms should not result in unusual or unreasonable gains, financial or otherwise, for outside firms, vendors, contractors, the City or any employee. An unusual or unreasonable gain refers to product bonuses, special fringe benefits, unusual price discounts, and other inducements designed to benefit any party to the business activities. Promotional plans, transactions, or activities that could be interpreted or perceived as involving unusual gains require specific disclosure. Personal gain, or the potential for gain, may result not only in cases where an employee or relative has significant ownership in a firm with which the City does business, but also when an employee or relative receives any compensation, substantial gift, or special consideration as a result of any transactions or business activities involving the City. The materials, products, designs, plans, ideas, documents and data of the City are the property of the City and should never be given to an outside firm or individual, except through normal channels, with appropriate prior authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to corrective action, up to and including termination of employment.

**Reference: City of Rockwall, Code of Ordinances, Division 5. Code of Ethics, Sec. 2-72 through Sec. 2-79**

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**Policy # 202                      Confidentiality**

The protection of confidential business information is vital to the interest and success of the City. Any employee who discloses confidential business or personal information will be subject to corrective action, up to and including termination of employment, even if he or she does not actually benefit from the disclosed information. Employees have a continuing obligation to protect the confidentiality of City assets.

**Policy # 203                      Work Place Behavior**

It is the policy of the City that certain rules and regulations regarding employee behavior are necessary for efficient business operations and for the benefit and safety of all employees. It shall be the duty of each employee to maintain high standards of cooperation, efficiency, and economy in his or her work for the City. Department directors shall organize and direct the work of their departments to achieve these objectives. Conduct that interferes with operations, discredits the City, or is offensive to customers or coworkers will not be tolerated and will be subject to disciplinary action up to and including termination.

**Policy #204                      Customer Service**

The City of Rockwal may adopt guidelines that cover all aspects of customer service

**Policy # 205                      Solicitation**


The City of Rockwall limits solicitation and distribution on its premises because those activities can interfere with normal operations, reduce employee efficiency, annoy customers, and pose a threat to security. It is the policy of the City to prohibit solicitation and distribution on its premises by non-employees and to permit solicitation and distribution by employees only as outlined in the Procedures.

**Policy # 206                      Personal Appearance of Employees**

It is the policy of the City that each employee’s dress, grooming, and personal hygiene should be appropriate to the work situation. The City of Rockwall’s public image is a product of its staff, individually and collectively. A professional appearance is a key factor in creating and maintaining a favorable image. All employees contribute personally to this image by their individual attire and grooming. It is also the desire of the City that when uniforms are provided they present a favorable impression to the public. Because a customer often forms an opinion of the City by the appearance of those who serve him, a favorable appearance is essential.

**Policy # 207                      Attendance & Punctuality**

It is the policy of the City of Rockwall to require employees to report for work punctually and to work all scheduled hours and any required overtime. While periodic absences are to be expected, the City of Rockwall is not expected to suffer through the abuse of chronic and excessive absenteeism. Excessive tardiness and poor attendance disrupts workflow and customer service, and will not be tolerated. Frequent claiming of benefits under this policy will

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constitute grounds for the assumption that the physical condition of the employee is below the standard necessary for the proper performance of duties. Evidence of malingering, or the abuse of this benefit, will constitute grounds for dismissal or other disciplinary action.

**Policy # 208                      Violence in the Work Place**

The safety and security of our employees is of vital importance. Acts or threats of physical violence, including intimidation, harassment and/or coercion, which involve or affect the City, or which occur on City property, will not be tolerated from anyone. The prohibition against threats and acts of violence applies to all persons involved in the operation of the City, but not limited to City personnel, contract and temporary workers and anyone else on City property. Violations of this policy, by any individual, will result in corrective action, up to and including termination of employment, and/or legal action as appropriate.


**Policy # 209                      Sexual & Other Unlawful Harassment**

The City of Rockwall is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individuals sex, race, ethnicity, age, religion, sexual orientation or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited. Any employee who encounters an incident of alleged sexual or other unlawful harassment should promptly report the matter to his or her supervisor.

If the supervisor is unavailable or the employee believes it would be inappropriate to contact the supervisor, the employee should immediately contact the Human Resources Department. The supervisor should also notify Human Resources. Employees may raise concerns and make reports of unlawful harassment without fear of reprisal. Anyone engaging in sexual or other unlawful harassment will be subject to corrective action, up to and including termination of employment.

**Policy # 210                      Drug Free Work Place / Drug Testing**

It is the policy of the City to maintain a workplace that is free from the effects of drug and alcohol abuse. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a safe and satisfactory manner. While on City premises and while conducting business-related activities off City premises, no employee may use, possess, purchase, distribute, sell or be under the influence of alcohol or engage in the unlawful distribution, manufacture, dispensing, possession or use of illegal drugs. Further, off-duty employees are prohibited from purchasing or from being served alcohol while wearing City issued uniforms, or other attire displaying the City of Rockwall name, logo, or other such identifying marks associating them with the City of Rockwall. Violations of this policy may lead to corrective action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

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Employees must report their use of over-the-counter or prescribed medications to their immediate supervisor, department director, or to the Human Resources Department *only if the use might impair their ability to perform their job safely and effectively*. A determination will then be made as to whether the employee should be able to perform the essential functions of the job safely and properly.

Employees may be asked to take a test at any time to determine the presence of drugs, narcotics, or alcohol, unless tests are prohibited by law. It is a violation of this policy to refuse consent for these purposes or to test positive for illegal drugs or alcohol exceeding the established level. Policy violations will result in discipline and may result in termination. Tests that are paid for by the City are the property of the City, and the examination records will be treated as confidential and held in separate medical files.

**Policy # 211                      Work Place Searches**


The City has an overriding interest in the prevention of any activities which may interfere with effective, efficient and safe operations in the City. It is the responsibility of City management to safeguard against any activities which might negatively impact City functions or create an unsafe workplace for employees or unsafe environment for the public, including but not limited to the use of alcohol or illegal drugs or substances. For this purpose, work places and work spaces of all City employees are subject to random inspections and investigation searches.

The terms work place or work space include any area where work is performed and any items related to work which are used by or are accessible to any employee, such as computer equipment, including hardware, networks and hard drives, communication devices, offices, desks, files, file cabinets, lockers, cabinets, storage areas, vehicles and equipment. In most cases, these terms do not include employee’s personal items, such as personal vehicle, handbags or briefcases.

**Policy # 212                      Smoke / Smokeless Tobacco**

It is the policy of the City of Rockwall that all smoking and smokeless tobacco products will only be used before and after work hours, during designated breaks set by supervisor, and during lunch break. Smoking is only allowed in designated areas. This policy applies to employees during working time and to customers and visitors while on City premises.

The City of Rockwall seeks to provide its employees a quality work environment. A favorable work environment creates an efficient and effective workforce. The City feels that the employee’s workspace includes not only his or her indoor office space but also the employee’s City owned vehicle. Generally, the use of all tobacco products, smoke or smokeless, is prohibited in any City owned building, vehicle, or piece of equipment.

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**Policy # 213 Political Activity**


It is the policy of the City of Rockwall to provide the following restrictions regarding political activity to City employees:

- a. Employees shall refrain from publicly using their positions or influence for or against any candidate for public office in the City of Rockwall.
- b. Employees, either on or off duty, shall not circulate petitions or campaign literature on behalf of candidates for City of Rockwall elective office or be in any way involved with soliciting or receiving any subscription, contribution, or political service on behalf of such candidates unless specifically authorized by law to do so.
- c. Employees shall not use working hours or City property to be in any way involved with soliciting or receiving any subscription, contribution, or political service or to circulate petitions or campaign literature on behalf of candidates for public office in any jurisdiction.
- d. Employees shall not in any manner contribute money, labor, time, or other valuable things to any person for City of Rockwall election purposes unless specifically authorized by law to do so.
- e. In accordance with the City of Rockwall’s Code of Ethics, no employee may seek or hold an appointed or elective City of Rockwall office of public trust, nor hold a partisan office in any jurisdiction or any other office where service would constitute a direct conflict of interest with City of Rockwall employment, as determined by the City Manager, with or without remuneration. Upon announcement of intention to seek or assume such City of Rockwall office, or to assume any other described office, an employee shall resign or shall be dismissed upon failure to do so.
- f. Nothing herein shall be construed to affect an employee's right to vote.

**Policy # 214 Garrity Warning**

When management becomes aware of an instance when an employee may have involvement in a possible (alleged) criminal matter, an Administrative Inquiry should be conducted. This Inquiry will include administration of the Garrity Warning (civilian equivalent of the Miranda Warning) by the Director of Administrative Services. Additionally, all employees of the City are required to report to their department director, or if the employee is a department director, they must report to the City Manager all crimes. The employee will be questioned in an effort to determine his/her legal status, the possibility of disciplinary action, and any general information, which may be necessary to make decisions regarding his/her continued employment with the City.


Administration of the Garrity Warning will void any attempt to cite Fifth Amendment rights to remain silent to avoid self-incrimination when the questions pertain to employment matters. Employers are justified in requiring information which is job related. However, any information obtained may not be given to any law enforcement agency to be used for prosecution in criminal matters against the accused employee.

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**Policy #215                      Concealed Handgun**

It is the intent of the City of Rockwall to prohibit the carrying of concealed handguns inside certain city-owned or controlled premises. Possession of a concealed handgun inside certain city-owned or controlled premises, by any person other than peace officers, is forbidden and the City will take whatever steps reasonable and necessary to deny entry into or onto the premises of the Municipal Courts Building.

The City will post the appropriate signage and will provide other such notices in accordance with Section 30.05 of the Texas Penal Code (the Criminal Trespass Law). Persons in violation of this law will be denied entry or continued presence on City-owned or controlled premises, and violators will be prosecuted for the offense of criminal trespass.

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## CONDITIONS OF EMPLOYMENT

### **Policy # 300                    Employee Relations**

The City of Rockwall believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other Cities in this area. If employees have questions or concerns about work conditions or compensation, they are strongly encouraged to talk openly and directly with their supervisors. Experience has shown that when employees deal openly and directly with supervisors, the work environment can be exceptional, communications can be clear, and attitudes can be positive.

### **Policy # 301                    Physical Fitness**


Department directors may require employees to periodically demonstrate their ability to perform job related physical requirements and/or establish voluntary or mandatory programs to maintain fitness.

### **Policy # 302                    Residence Requirement**

To the extent permitted by federal and state law, Department Directors, with the approval of the City Manager, may designate certain positions where it is appropriate that the incumbents assume residency within thirty minutes of The City of Rockwall. Essential personnel or employees likely to be called to work in cases of emergency may be required to reside within reasonable commuting ranges of their places of work. Employees allowed to operate City vehicles between their places of residence and work stations may be allowed to reside within the City within reasonable commuting ranges as prescribed in the administrative directive. The City Manager may also require an employee hired or transferring into a position with residency or response requirements to comply with the established standards prior to completion of the probationary period.

### **Policy # 303                    Discipline/Performance Improvement Management**

All employees are expected to meet the City's expectations and standards in the performance of all aspects of their job duties. If employee performance or conduct does not meet City expectations and standards, the City will use a positive performance management and progressive corrective action approach whenever possible to motivate employees to participate directly in the resolution of such situations. There may be circumstances in which the City may choose not to follow all of the recommended steps.

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When circumstances warrant, City management may decide, in its sole discretion, that some or all of the steps in the performance management process should not be followed and that immediate corrective action, including termination of employment is necessary based on the totality of circumstances. Employment with the City is *at-will*, and either the employee or the City may terminate the employment relationship at any time, with or without notice.

This Discipline/Performance Improvement Management policy and administrative directive is intended to complement, and not conflict with or replace other policies and procedures pertaining to employee conduct and performance.

**Policy # 304                      Separation of Employment**

It is the policy of the City of Rockwall to approach each termination with fairness, both to the employee and the City. Since employment with the City is based on mutual consent, both the employee and the City have the right to terminate employment *at-will*, with or without cause, at any time.

Examples of the most common circumstances under which employment is terminated are:


**Resignation** - termination initiated by an employee who chooses to resign from or leave the City voluntarily.

**Retirement**- voluntary resignation from active employment status initiated by the employee. Eligible employees may be separated by retirement in accordance with applicable programs.

**Involuntary Termination**- an employment termination initiated by the City for reasons such as unacceptable performance or misconduct.

**Reduction in Force (RIF)**- an involuntary termination initiated by the City for business reasons. An employee may be laid off because of changes in duties or organization or for lack of work or lack of funds. Whenever possible, an employee laid off from one City department shall be transferred to a suitable position elsewhere, if qualified. Whenever possible, two weeks notice shall be given to an employee prior to layoff.

**Medical Separation** – An employee may be separated for medical or physical reasons when the employee is no longer able to perform the physical or mental requirements of his or her job. A physical examination by a physician specified by the City may be required by the City Manager to determine if the employee is capable of performing the requirements of his or her job. Medical separation shall not be considered disciplinary action and shall not be used to deny an employee the use of any injury, disability, or other benefits offered by the City in conjunction with any non-disciplinary separation.


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**Policy # 305                      Exit Interview**

The City of Rockwall believes employees are our most valuable resource. The City of Rockwall's Exit Interview policy supports the City's commitment to provide good business practices to its employees and customers. It also provides an additional avenue for an employee to express concerns about how the City conducts itself. Other policies, which compliment this policy, include the City's policies on Employee Relations, Open Door Fair Treatment Process, Discipline/Performance Improvement Management and Performance Evaluations. This policy also affirms our commitment to the City's Standards of Conduct in our business dealings. Departing employees are often a source of valuable information from which the City can learn and improve policies, systems and the overall work environment. By learning from our employees, it is the City's goal to improve the work and business environment and reduce voluntary turnover wherever possible.

**Policy # 306                      Fair Treatment Process**

The City of Rockwall believes that positive employee relations and morale can be best achieved and maintained in a working environment that promotes ongoing and open communication between supervisors and employees, including open and candid discussions of employee problems, concerns and disputes. The City of Rockwall utilizes an Open Door Policy designed to encourage its employees to openly express their problems, concerns and opinions on any issue related to their employment. The City of Rockwall sincerely hopes that its employees will never have a dispute relating to their employment with the City. However, the City of Rockwall recognizes that disputes sometimes arise between the City and its employees relating to the employment relationship. The City of Rockwall believes that it is in the best interests of both its employees and the City to resolve employment-related disputes in a forum that provides the fastest and fairest method for resolving such disputes. Therefore, in addition to the Open Door Policy, the City of Rockwall has established the Fair Treatment Process ("FTP"), a comprehensive mechanism for resolving employment-related disputes between the City and its employees. The FTP is a multiple-step process that ultimately provides for a resolution of such disputes if they are not resolved in any of the previous steps in the process. The City of Rockwall employees can use the Open Door Policy and the Fair Treatment Process without fear of retaliation or reprisal.

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## **APPLICATION & EMPLOYMENT PROCESS**

### **Policy # 400                      Application Requirements**

It is the City’s policy to provide equal employment to all applicants. This policy outlines the process for selecting and disqualifying applicants that have applied with the City of Rockwall. Applications for initial employment must be sent to the Human Resources department for review. Only applications officially received in the manner prescribed by the policies and procedures will be considered. All information submitted in connection with applying for City positions is subject to verification.

The City of Rockwall conforms to all provisions of the Immigration Reform and Control Act of 1986. All applicants and individuals hired by the City shall submit all required documentation and information as required by the City to ensure compliance with the Act.

The City of Rockwall relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. It is necessary that the candidate provide on the Application for Employment the last ten years of previous experience. An applicant shall be disqualified from consideration for employment, or if the person has been hired, employment will be terminated for the following reasons:


1. Misrepresentations, falsifications, or material omissions.
2. Does not meet the qualifications necessary to perform the essential functions of the job.
3. Has committed or attempted to commit a fraudulent act at any stage of the selection process.
4. An alien not legally permitted to work in this Country.

### **Policy # 401                      Employment Categories**

It is the intent of the City of Rockwall to classify employees as regular full-time, regular part-time, seasonal, or temporary and as exempt or nonexempt for the purposes of compensation administration. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship *at-will* at any time is retained by both the employee and the City.

### **Policy # 402                      Job Evaluation**

It is the policy of the City of Rockwall to evaluate all jobs in order to establish a consistent basis for measuring and ranking the relative worth of each job. Employee compensation within any labor grade is based on factors such as merit, experience, individual productivity, length of service, and external market factors.

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### **Policy # 403                      Job Descriptions**

It is the policy of the City of Rockwall to have complete and up-to-date written job descriptions for all positions within the City. Job description will be prepared prior to advertising or interviewing for any position. Complete and accurate job descriptions are crucial in a good pre-placement screening program for the following reasons:

- They will serve as one element of the evidence of the essential functions of the job in the event of litigation.
- They will be used in interviewing job applicants to determine whether or not those applicants can perform the essential and marginal functions of the job for which they are interviewing, either with or without reasonable accommodation.
- They will be provided to licensed medical facilities performing the City’s pre-placement health screening as a guide to allow the licensed healthcare professional to determine whether or not the individual can safely perform the essential functions of the job, and whether or not any reasonable accommodations are required.
- They will serve as the baseline for performance evaluations, and validate competency requirements per City standards.
- They will provide guidance in redefining jobs for departmental redesign.

### **Policy # 404                      Vacancies**

It is the policy of the City of Rockwall that Human Resources will coordinate with Department Directors to identify vacancies, announce vacancies, collect and maintain employment applications, determine requirements for employment based upon job descriptions, evaluate applications for employment, determine if candidates meet minimum qualifications. The Human Resources department will coordinate and assist with all recruitment activities.


Each announcement shall specify the title and nature of the job; the required qualifications, and the deadline for and method of application. Each announcement shall contain a statement affirming the City’s commitment to a policy of Equal Employment Opportunity.

### **Policy # 405                      Recruitment / Selection Process**

It is the policy of the City of Rockwall to adhere to the principles of Equal Employment Opportunity and to comply with all local, state, and federal laws applicable to recruiting, interviewing, and selecting employees. The City of Rockwall strives to select the best candidates for employment.

### **Policy # 406                      Employment of Relatives**

The employment of relatives in the same area of an organization may cause serious conflicts and problems with employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships. No employee may directly or indirectly supervise or be supervised by a member

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of his or her immediate family. No immediate family member of the City Council, City Manager or Assistant City Manager may be employed by the City. In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment. Exceptions to this policy must be disclosed annually and approved by the Director of Administrative Services and the City Manager.

For the purposes of this policy, relatives are defined to include spouses, parents, children, brothers, sisters, sons/daughters-in-law, brothers/sisters-in-law, fathers/mothers-in-law, stepparents, stepbrothers, stepsisters, stepchildren, step grandchildren, or anyone else related by blood or marriage or whose relationship with the employee is similar to that of persons who are related by blood or marriage. This policy also may apply to individuals who are not legally related but who reside with the employee.

**Policy # 407                      Medical Examination**


A person selected for initial appointment or reinstatement may be required to undergo a thorough medical examination at City expense in a manner prescribed by administrative directive. If required, employment shall be contingent upon successful completion of the medical examination in relation to the standards of fitness required for the position involved as described in the job description. The City Manager, acting on information provided by medical personnel, shall, in the event any question arises, be the final authority in determining medical suitability for employment.

With the approval of the City Manager, a department director may require that a current employee successfully undergo a medical examination to determine fitness for continued employment in the case of an employee who becomes ill, injured, or otherwise disabled or for promotion or transfer to another position with specific physical requirements.

A qualified licensed healthcare professional of the City’s choice performs all medical examinations. Any offer of employment and/or subsequent assignment of duties are contingent upon acceptable completion, to the City of Rockwall’s standards, of the medical examination.

**Policy # 408                      Background / Reference Checks**

It is the policy of the City of Rockwall to conduct background/reference checks on all prospective employees in order to verify their identity, qualifications, ability and character. Once a decision is made to hire an applicant, Human Resources will review the applicant’s employment history, references, driving record, verify professional licenses and education.


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**Policy # 409                      Hiring**

It is the policy of the City to be an equal opportunity employer and to hire individuals solely on the basis of their qualifications and ability to do the job to be filled. Unless otherwise provided in writing, employment with the City of Rockwall is considered to be at-will, so that either may terminate the relationship at any time and for any lawful reason (See Employment-At-Will Policy # 100)

**Policy # 410                      Outside Employment**

An employee shall not engage in outside employment, including self-employment, where such employment would constitute a conflict of interest or would adversely affect the employee's performance in the City service. Outside employment must be reported to and approved by the department director, and shall be in conformance with the City's adopted Code of Ethics and as specified by administrative directive.

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## EMPLOYMENT STATUS & PERSONNEL RECORDS

### **Policy # 500                      Status Changes**

It is the policy of the City of Rockwall to maintain accurate employment status information on all employees. To ensure that information given is updated correctly, a Personnel Change Notice must be completed to make any changes in an employee's record.

### **Policy # 501                      Introductory Evaluation Period**


It is the policy of the City of Rockwall that every person initially appointed to, transferred or promoted in the City service shall be required to successfully complete an introductory evaluation period (f/k/a probationary period) of at least 90 days for non sworn personnel. The introductory period for sworn personnel is one year after completing Field Training. A longer introductory evaluation period may be required for certain positions, when it is determined by the City Manager that it is warranted.

The purpose of the introductory evaluation period is to provide a time by which both the employee and his/her immediate Supervisor decide whether or not the employee is effective in the position, to which he/she was promoted, transferred or newly appointed. This time frame is to be utilized to examine all aspects of the job description, performance, conduct, and choice of action.

An employee shall fail the introductory evaluation period when, in the judgment of the department director, the employee's performance and/or quality of work are not such as to merit continuation in the job. A newly-promoted employee who fails the introductory evaluation period shall be returned to his or her former type of job, if the position is available, and shall be eligible for consideration for later advancement. Inability to comply with licensing or certification requirements as established by law or established in the job description shall constitute failure of the introductory evaluation period. Extension of introductory evaluation period after failure will be determined by the Department Director and the Director of Administrative Services.

### **Policy # 502                      Evaluation Process**

It is the policy of the City of Rockwall that all regular full-time and regular part-time employees, sworn and non sworn personnel, will receive an employee evaluation. The work performance of employees shall be evaluated in accordance with the Performance Appraisal Guidelines, designed to assist supervisors and employees in measuring how well their work is being performed and to provide a tool for management decisions regarding training, assignment, promotion, retention, and compensation of employees.

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**Policy # 503                      Seniority**

It is the policy of the City of Rockwall to designate a date of significance as a point of reference for establishing an employee’s seniority status relative to other employees’ length of service within the department. An employee’s seniority status may be considered for purposes of determining shift and work assignments, transfers, and time-off requests, for example.

An employee’s seniority status may be affected if transferred to a different department and job description, based on that department’s established policy.

**Policy # 504                      Transfer / Promotion**

It is the policy of the City of Rockwall to provide promotion/transfer opportunities whenever reasonably possible to qualified employees. Transfer and promotion decisions are based on long-term business goals, employee performance and the employee’s potential for success in the new position. Transfers and promotions shall be offered to employees at the sole discretion of the City.

**Policy # 505                      Demotion**


A demotion is the assignment of an employee from a position in one class to a position in another class. With the approval of the City Manager, and if qualified to perform the duties of the lower level position, an employee may be administratively demoted at his or her own request or as an alternative to a reduction in force (RIF). Such demotions shall not be considered disciplinary actions or disqualify the employees involved from consideration for later advancement. Demotions effected as alternatives to layoffs may be fully or partially rescinded at any time.

**Voluntary Demotions:** Require an appropriate salary reduction to be determined by the department director and Director of Administrative Services. The demoted employee’s salary should not be greater than the maximum of the lower pay grade.

**Involuntary Demotions:** May or may not require a salary reduction and will be reviewed on a case-by-case basis by the department director and Director of Administrative Services.

**Policy # 506                      Reinstatement & Rehire**

It is the policy of the City of Rockwall to consider former employees for rehire or reinstatement, depending upon their prior work history with the City. Employees who were away from the City for no more than 180 calendar days and who had at least one (1) year of continuous service prior to leaving the City may be eligible for reinstatement. Employees who have been away from the City for more than 180 calendar days may only be eligible for rehire. Rehired employees will be treated as new employees. Employees who were discharged under corrective action are not eligible for rehire or reinstatement.

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Rehire - is defined as the rehiring of a former employee to a position in the City of Rockwall with a new date of hire and no seniority reflected from the employee's prior employment with the City.

Reinstatement - is defined as reinstating a former employee to a position in the City of Rockwall with his/her original date of hire and seniority.

**Policy # 507                      Personnel Records**

It is the policy of the City of Rockwall to maintain personnel records for applicants, employees, and past employees in order to document employee-related decisions, evaluate and assess policies, and comply with governmental record keeping and reporting requirements. The City tries to balance its need to obtain, use, and retain employment information with a concern for each individual's privacy. The City attempts to maintain only the personnel information that is necessary for the conduct of its business or required by federal, state, or local law.

The Human Resources Department is responsible for overseeing record keeping for all personnel information and will specify what information should be collected and how it should be stored and secured. Unless otherwise provided by law, personnel files and information shall be confidential and may not be used or divulged for purposes unconnected with the City personnel management system without the permission of the employees involved or as provided by the Texas Open Records Act.


An employee shall have a right of reasonable inspection of his or her official personnel file under procedures prescribed by the Human Resources Supervisors. The City will maintain personnel files for seven years after termination of employment as required by the City's record retention procedures.

**Policy # 508                      Confidentiality of Employee Records**

Employee records are maintained both by hard-copy files and by computer data program. All such information shall be kept in the Human Resources Department secured by cabinets equipped with locks and by strict security and limited access computer inquiry.

Access to employee files and related confidential information shall be limited to individuals having a valid business need. Examples of individuals that may have a need are City Manager, Assistant City Manager, Department Directors, and Human Resources staff, in their regular course of business and job responsibilities.

In addition, upon request, individual employees may review the contents of their employment records in the presence of one of the authorized persons named herein.

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Employment records must not leave the confines of the Human Resources Department, except as necessary in the course of litigation or other such legal procedure.

**Policy # 509                      Release of Employee Information**

It is the policy of the City of Rockwall that all inquiries received either by telephone or in writing regarding present or past employees are to be referred to the Human Resources Department. Human Resources will only provide the following referral information:

- dates of employment
- verification of last rate of pay
- title of last job held

Additional information will be provided only if an employee submits a signed *authorization to release* requesting in writing the specific information to be released. This pertains to both present and past employees. However, in order to minimize the City's liability regarding *negligent referral* practices, other pertinent information may be required to be released if the past employee caused injury to another employee (or third party), exhibited violent or abusive behavior, or harassed another in any way.

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## COMPENSATION

### **Policy # 600                      Compensation Plan**

It is the policy of the City of Rockwall to provide fair and competitive wages for all employees. The Director of Administrative Services shall administer the comprehensive compensation plan for City employees as prescribed in the Compensation Administration Guidelines, as approved by City Council.

#### **Objectives**

The basic philosophy and objectives of the City of Rockwall are to provide a compensation system utilizing accepted practices in the management and design of compensation systems.

The objectives of the City are:

1. To attract and retain qualified workers who will be paid equitable salaries;
2. To provide fair salaries for all workers of the City;
3. To motivate and reward high-level performance; and
4. To provide the City with a salary structure that enables the City to maintain a competitive position with other Cities and companies within the same geographic area.


The compensation and classification system, when properly maintained in accordance with the competitive labor market, will be dynamic rather than static. Therefore, it will remain valid over many years. Salary ranges established for any given year are best maintained if adjusted each year to reflect the movements of salaries and wages occurring in the competitive marketplace.

### **Policy # 601                      Pay Procedures**

It is the policy of the City of Rockwall to pay employees by check or direct deposit on a regular basis and in a manner so that the amount, method, and timing of wage payments comply with any applicable laws or regulations. Pay Periods and pay dates are established by Administrative Directive.

### **Policy # 602                      Overtime**

It is the policy of the City of Rockwall when ordered for the maintenance of essential City functions, overtime shall be allocated as evenly as possible by the supervisor among all non-exempt employees qualified to do the work. Employees authorized to receive overtime shall be compensated at the rate of one and one half (1-1/2) times their regular pay, for all overtime worked in excess of the prescribed work period, as specified by the administrative directive. Compensatory time off may be arranged with the supervisor instead of overtime during the

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same work period in which the overtime was worked in accordance with State and Federal law and as specified by administrative directive.

Employees must get prior approval from their supervisor to work overtime and/or to receive compensatory time. Overtime is only paid to non exempt employees.

**Policy # 603                      Compensatory Time**

Compensatory (Comp) time may be utilized and accrued by the regular full-time non exempt employee only in accordance with State and Federal law. Comp time may be used in lieu of overtime payment when approved by the supervisor. Comp time is banked at 1 1/2 times the employee’s pay, unless it is used within the same 40 hour work week, then it will be accrued hour for hour.

Employees may take comp time within a reasonable period following their request. Comp time can only be used when it does not affect the functions of the department and the employee must have prior supervisory approval. In order to reduce the financial impact of comp time accruals, department directors may require employees to use their comp time prior to using other accrued vacation or sick leave benefits. Comp time will be considered as hours worked when computing overtime.

**Policy # 604                      Hours of Work**

It is the policy of the City of Rockwall to establish the time and duration of working hours as required by work load and production flow, customer service needs, the efficient management of human resources, and any applicable law.


**Policy # 605                      Emergency Call Back**

Non-exempt employees who work emergency duty on Saturday or Sunday, or those who are called back to work in emergencies, shall be compensated at the rate of 1-1/2 times their regular pay for actual time worked or one hour, whichever is greater. Compensatory time off may be used in lieu of overtime payment when approved by the supervisor and only in accordance with administrative directive.

**Policy # 606                      Inclement Weather**

Employees are generally expected to report to work during inclement weather conditions if the City does not declare an emergency closing. Employees who are unable to report to work because of weather conditions will be granted an authorized unpaid absence. However, if the employee has accrued compensatory or vacation time available, the unpaid absence may be converted to the available compensatory or vacation time.

Employees are expected to report for duty at the hour regularly assigned for their workday. If weather conditions are such that personal judgment prevents the employee from coming to

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work or causes them to be late, the employee should notify the supervisor within 30 minutes after the start of the workday.

If any City offices are closed due to adverse weather conditions the decision about which departments or divisions will be closed and how pay will be handled is the responsibility of the City Manager.

**Policy # 607                      Holiday Compensation**

It is the City of Rockwall’s intent to fairly compensate employees whose schedule requires them to work on the holidays designated as City holidays. All non-exempt, regular full-time and part-time employees are eligible for holiday pay. An employee who works a holiday falling within the employee’s regular, or normal, work schedule will be compensated at the rate of **one and one-half times base pay**. In addition, the employee will be allowed to bank an alternate holiday to be taken within the fiscal year the holiday was observed.

Employees normally scheduled off for the holiday, but are called in to work due to an *emergency*, will be compensated at premium pay, which is one and one-half times base pay for the hours worked during *emergency call duty*, plus payment for the regularly scheduled holiday.

**Policy # 608                      Travel**


The Fair Labor Standards Act (FLSA) prescribes certain wage and salary requirements for employees that travel in connection with their job. The purpose of this policy is to outline procedures for payment of wages in connection with travel for all employees classified as non-exempt under the FLSA. Mileage reimbursement will be determined by the City Manager. It is the policy of the City of Rockwall that business travel must be approved in advance and should be reimbursed according to the guidelines found in the Administrative Directive.

**Policy # 609                      Mileage Reimbursement**

It is the policy of the City of Rockwall to reimburse employees for mileage, at a rate determined by the City Manager, for any employee that is required by the supervisor to drive their personal vehicle to an alternate work site or meeting location. Mileage will be calculated from the City’s location to the alternate location. If the employee leaves from another location other than a city facility, mileage will only be paid on the distance it takes from the city facility to the alternate location. A periodic review of the mileage reimbursement rate will be conducted.

**Policy # 610                      Personal Finances of Employees**

It is the policy of the City of Rockwall to require employees to meet their financial obligations in a timely manner. Under certain circumstances the City may be required to involuntarily withhold or garnish an employee's wages. Such garnishment includes Court ordered child support payments under provisions of Section 14.43 of the Texas Family Code, Bankruptcy

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Court, and federal Internal Revenue Service tax levies. These withholdings are mandatory under existing laws.


The City of Rockwall also recognizes that employees may occasionally be faced with a hardship and need financial assistance in the form of salary advance or salary in lieu of vacation time. The City of Rockwall allows for financial aid to employees under certain circumstances. Only those rare cases of true hardship will be allowed to receive this aid and must be approved by the City Manger.

A hardship may consist of, but is not limited to:

- high medical bills due to an unforeseeable event
- natural disaster

**Policy # 611                      Damage to Personal Property**

Employees will be reimbursed for the repair of personal property damaged or lost through no fault of their own in the course of employment with the City and performance of their assigned duties.

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		<p>Effective Date:</p>

## EMPLOYEE BENEFITS

### **Policy # 700                      Disclosure of Benefits**


The City provides all regular full-time and regular part-time employees with various medical, dental, vision, life insurance, retirement, and other benefit programs on their 31<sup>st</sup> day of employment. The Human Resources Department shall furnish information regarding these programs to all employees on a timely basis. The City reserves the right to modify, amend, or terminate its health and welfare, and retirement benefits as they apply to all current, former, and retired employees.

The City of Rockwall is *self-insured*. This means that the City accepts risk for payment of eligible employees' health plan claims and pays those claims from general assets.

### **Policy # 701                      Benefits Continuation (COBRA)**

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives covered employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City of Rockwall's health, dental, and vision plan for specified periods of time when a "qualifying event" would normally result in the loss of eligibility. Qualified beneficiaries are individuals who, on the day before a qualifying event, are covered under a group health plan as a covered employee, spouse of a covered employee, or a dependent child of a covered employee. Qualified beneficiaries also include children who are born to, or placed for adoption with, a covered employee during the period of COBRA continuation coverage. Some common qualifying events are resignation, termination of employment, (except terminations for gross misconduct) or death of an employee; a reduction in an employee's hours; an employee's divorce or legal separation; and a dependent child who no longer meets eligibility requirements. Under COBRA, the employee or beneficiary pays the full cost of coverage plus an administrative fee. Each eligible employee will be provided with written information describing rights and obligations granted under COBRA when the employee becomes eligible for coverage under The City of Rockwall's health insurance plan.

Once a qualifying event has occurred, the City of Rockwall's third party administrator must notify the qualified beneficiaries of their right to continue health care coverage.

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**Policy # 702                      Holidays Observed**

It is the policy of the City of Rockwall that all full-time regular employees shall be entitled to paid holidays. It is the City’s intent to consider the most commonly recognized and nationally celebrated holidays allowing for the majority of City employees to observe these holidays as days off with pay. However, reasonable accommodation shall be made to employees desiring to observe *religious* holidays not coinciding with official City observed holidays.

The City of Rockwall observes the following holidays:

New Year’s Day	January 1
Martin Luther King Day	3 <sup>rd</sup> Monday in January
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 <sup>st</sup> Monday in September
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Thanksgiving Friday	Friday after Thanksgiving
Christmas Day *	December 25

\*When Christmas Day falls on a Tuesday or Thursday, the Monday before or the Friday after Christmas Day will be observed in addition to Christmas Day.


**Policy # 703                      Vacation**

It is the policy of the City of Rockwall to grant annual vacations with pay to regular full-time and regular part-time employees in accordance with the guidelines established by the City. Part-time regular employees shall accrue vacation leave in proportion to time worked. Temporary employees are not eligible to earn vacation leave.

The established *vacation year* is designated as January 1 through December 31 each year. Vacations are accrued or earned based on the employee’s length of service and on the time actually worked.

Vacation accrual is earned as follows:

	<u><b>Rate of Accrual</b></u>	
<u><b>Years of Service</b></u>	<u><b>Hours</b></u>	<u><b>Monthly</b></u>
0 - 5 years	6.6667	.833 days
6 - 10 years	8.3333	1.042 days
11 years >	10	1.250 days

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**Policy # 704                      Sick Time**

The City of Rockwall’s policy to allow regular full-time employees to accrue 1.25 days of sick per month of service, 120 hours per year. Regular part-time employees shall accumulate sick time in proportion of time worked. Temporary employees may be granted unpaid sick leave as determined by the department director.

It is the intent of this policy to encourage employees to reserve their sick time in the event of unforeseen long-term or catastrophic illness or injury that would normally cause them to incur financial hardship. (See **General Medical Leave Policy#800** and **Family & Medical Leave Policy#801, and Attendance and Punctuality Policy # 207**).

**Sick Leave Conversion**

1. Once an employee has accrued 120 days of sick leave, earned sick leave in excess of 120 days may be converted to vacation leave at a ratio of three (3) days sick leave to one (1) day vacation leave up to a maximum of 15 sick days per year.
2. Upon termination any accumulated sick leave over 120 days shall be converted to vacation leave at a ratio of three (3) days sick leave to one (1) day vacation leave to be paid to the employee in accordance with the vacation leave policy.
3. Upon retirement from the City of Rockwall **all** accrued sick leave shall be converted to vacation leave paid at a ratio of three (3) days sick leave to one (1) day vacation leave. Retirement means that you are at least 60 years of age and have at least five (5) years of service; or you have at least 20 years of service with the City of Rockwall, regardless of your age.


**Policy # 705                      Longevity Pay**

All regular full-time employees that have completed a full continuous year of service with the City are eligible for the City’s Longevity program at the rate established by state law.

**Policy # 706                      Catastrophic Illness**

It is the policy of the City to provide a donation policy that will enable eligible City employees to voluntarily donate vacation leave time earned by the employee to another City employee in the event of a catastrophic injury or illness. **Catastrophic** illness or injury is one that prevents an employee from performing the functions of his/her job for an extended period of time. **Eligible Employees** are those employees who have completed one year of City employment and who are eligible to earn vacation leave. This definition applies to both the donating employee and the employee receiving donated leave.

Examples of qualifying **catastrophic** illnesses/injuries generally considered include, but are not limited to: Stroke with residual paralysis or weakness, incapacitating heart attack, major

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surgery (hysterectomy, mastectomy, heart bypass, prostate), Cancer (treatment, surgery and/or recovery), broken hip, car accident requiring hospitalization, and treatment for Hepatitis.

Examples of illnesses/injuries that generally would not be considered severe enough to be catastrophic include but would not be limited to: Broken limb (unless hospitalized for an extended period), Cold/allergies/upper respiratory illnesses, minor surgery with no complications such as appendectomy, tonsillectomy or day surgery, pregnancy with minor or no complications.

Anyone inappropriately disclosing information is subject to corrective action, up to and including termination of employment. Employees with questions or concerns about illnesses are encouraged to contact the Human Resources Department or The City of Rockwall’s Employee Assistance Program for information and referral to appropriate services and resources.

**Policy # 707                      Incentive Award Program**

The policy of the City of Rockwall, as approved by City Council, is to recognize that some employees go above and beyond their normal performance standards that the City expects. The Incentive Award Program is designed to recognize and acknowledge those employees .

All non sworn regular full-time and regular part-time employees shall be eligible for recognition through the Incentive Award Program.

**Policy # 708                      Service & Recognition Award**


It is the policy of the City of Rockwall to recognize contributions and service to the organization by presenting employee recognition and service awards to eligible employees.

**Policy # 709                      Employee Referral Program**

It is the policy of the City of Rockwall to promote employee participation in recruitment and retention in areas of high turnover and difficult to fill positions by rewarding employees for their active participation in recruitment of a hired employee. The Employee Referral Program will only be activated when a need is identified, and will remain dormant when recruitment is less challenging.

**Policy # 710                      Tuition Reimbursement**


The City of Rockwall supports partial or full reimbursement for courses and other related fees to enable the employee to accomplish future goals related to their job or an approved career path program as outlined by the Administrative Directive. The City of Rockwall encourages employees to enroll in outside courses to improve job performance and promotability within the City. Employees must satisfactorily complete their introductory period.

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**Policy # 711**

**Employee Communication**

It is the policy of the City of Rockwall to provide effective methods of communication to employees. Methods of communication may include, but are not limited to the Intranet, Rockwall University, City Manager Breakfast, Rockwall University, Newsletters, and other communication plans.

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		<p>Date:</p>

## LEAVE OF ABSENCE

### **Policy # 800                    General Leave of Absence**

A General Leave of Absence is defined as an unpaid absence of more than three (3) working days due to a medical or non medical event. A General Leave of Absence is not covered by any other leave policies. Refer to all leave policies prior to requesting a leave. A General Leave is normally for someone who does not qualify under FMLA. All regular full-time and regular part-time employees that have completed their introductory period may request a General Leave of Absence for not more than 180 days, and must be approved by the City Manager.

Except when prohibited by law, requests for leaves of absence will be considered on the basis of the employee's length of service, performance, responsibility level, reasons for the request, and the City's ability to obtain a satisfactory replacement during the time the employee will be absent from work.

### **Policy # 801                    Family & Medical Leave Act (FMLA)**


The Family and Medical Leave Act (FMLA) of 1993 became effective on August 5, 1993. This policy is designed to ensure that adequate amounts of leave time are provided to employees to various situations as defined herein, to strengthen the City of Rockwall's current policy on medical leave and to guard the City of Rockwall against misuse. In order to be eligible for FMLA an employee must be employed by the City for at least one (1) year **AND** have worked at least 1,250 hours within the previous twelve (12) months.

The City of Rockwall's policy is to use a rolling twelve (12) month period from the date an employee's family medical leave begins. Eligible employees are entitled to up to twelve (12) unpaid work weeks of leave during a rolling twelve (12) month period for the following reasons:

1. To care for a child upon the birth or placement for adoption or foster care of a child within twelve (12) months of arrival;
2. To care for a spouse, child or parent who has a serious health condition; or
3. When the employee is unable to work because of the employee's own serious health condition.

### **Policy # 802                    Military Leave**

The City of Rockwall complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA). All regular full-time and regular part-time employees who are members of the military shall be granted leave in accordance with applicable State and Federal laws. Employees preparing to take authorized military leave shall furnish their department directors with copies of military orders or other appropriate certification. An employee is eligible for military leave beginning on the first day of employment. Employees may use accrued vacation and/or compensatory time for military leave. If accrued vacation is not used, military leave shall be unpaid.

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If an employee is involuntarily called to active military duty the City shall provide wage continuation equal to the normal gross hourly salary less the employee's military wages for a period of 90 days.

**Policy # 803                      Jury Duty**

The City of Rockwall recognizes the responsibilities of each individual to perform civic duties as called upon. Employees that have completed 90 days of employment are eligible for jury duty benefits.

**Policy # 804                      Bereavement**

It is the policy of the City of Rockwall to allow all regular full-time and regular part-time employees time off in the event of a death of an immediate family member. Bereavement leave shall be charged against accrued sick leave.

For the purpose of this policy, an immediate family member shall be defined as a spouse, parent, brother, daughter, son, step-children, step-parents, grandchildren, grandparents, mother-and father-in law, sister- and brother-in law, and daughter- and son-in law. This policy may also apply to individuals who are not legally related but who reside with the employee.


**Policy # 805                      Maternity Leave**

An employee who becomes pregnant may continue to work until the date upon which she and her personal physician have agreed that she should no longer work. The employee must request a leave of absence. The leave of absence may qualify under **Family Medical Leave Act (FMLA)**. See **FMLA** policy #801. If the leave does not fall under **FMLA**, the employee may apply for a general leave of absence; see **General Leave** policy #800.

**Policy # 806                      Absence Control**

It is the policy of the City of Rockwall that once an employee reaches 180 days of time away from work, either from a work related or non work related illness or injury, employment will terminate.

If a work related injury or illness occurs and the employee has exhausted the 180 days, employment will terminate. However, workers' compensation benefits will continue. An exception would be for anyone on FMLA. The first 12 weeks would not count toward the 180 days. Exceptions to this policy will be determined by extenuating circumstances and approved by the City Manager.

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<p>Subject:</p> <p><b>SAFETY</b></p>	<p>Policy Number <b>900 - 902</b></p>	<p>Date:</p>

## **SAFETY**

### **Policy # 900                      Safety**

It is the policy of the City to comply with all applicable Federal, State, and local health and safety regulations, and to provide a work environment as free as feasible from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by management or by Federal, State, or local law. The City of Rockwall has established a Safety Procedure manual for use by all employees.

The City of Rockwall has a sincere concern for the welfare and safety of its employees and the public it serves. The City acknowledges its obligation as an employer to provide the safest possible working conditions for its employees and as a government service organization to provide a safe environment for the public.

Supervisors shall not discharge or discriminate in any manner against an employee because that employee has instituted a safety-related proceeding, has testified in such a proceeding, or has otherwise exercised any right afforded by law relative to workplace safety and health concerns.


### **Policy # 901                      ID Badges / Security**

It is the policy of the City of Rockwall that all City employees who work outside the office will be required to wear Identification Badges. The City of Rockwall will make every effort to provide for the security of its employees, visitors, and property.

### **Policy # 902                      Workers' Compensation**

All City of Rockwall employees are covered under workers' compensation as required by law. Regular full-time and regular part-time employees who receive weekly workers' compensation temporary income benefits for an on-the-job injury are eligible for salary continuation as outlines by Administrative Directive. Salary continuation benefits will only be paid at 100% for a maximum period of 180 days as long as the employee agrees to see a physician of the City's choice. Temporary, part-time, and probationary employees are ineligible for Salary Continuation. However, they would receive workers' compensation benefits. Volunteer fire fighters shall be eligible for any supplemental disability insurance provided by the City.

Texas Workers' Compensation law states that employees must use a physician or facility that is on the approved Workers' Compensation list.

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## CITY PROPERTY

### **Policy # 1000            Use of Equipment and Vehicles**

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines. Employees are required to notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in corrective action, up to and including termination of employment. City vehicles shall be used for official business only and shall be operated within the limits of traffic law and safety regulations. Each employee who drives a City vehicle must possess a valid state driver's license. Employees will be personally responsible for any fines incurred as a result of driving or parking violations while driving a City vehicle.

### **Policy # 1001            Computer and E-Mail Use**


It is the policy of the City of Rockwall that in all cases only fully licensed software purchased and installed by the City shall be used by City employees. Licensed means the City has purchased the required number of software licenses equal to the number of users.

This policy does not supersede any state or federal laws, or any other City policies regarding confidentiality, information dissemination, or standards of conduct. This policy is not a contract and the City reserves the right to make changes to this policy at any time. Each employee will receive a copy of this policy annually. Employees are required to read, sign and then return the policy signature page to the Finance Department.

### **Policy # 1002            Telephone and Mail Use**

#### **Telephone**

Employee personal use of the City's telephone equipment is restricted because such usage can impede the normal flow of business, incur unnecessary City expense, and reduce productivity. When personal usage of City telephone facilities is unavoidable, employees must properly log any user charges and reimburse them to the City. Personal long-distance telephone calls should normally be either placed collect or charged to the caller's home phone. Excessive use of the telephone for personal matters may result in disciplinary action.

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### Mail

Employees are not to use the City's address for receiving personal mail without prior approval of the department director and may not use City stationary or postage for personal letters. Personalized stationary and business cards may only be issued by the City. Employees should exercise care so that no personal correspondence appears to be an official communication of the City.

### Policy # 1003                      City Logo Use

The City of Rockwall's logos and images (hereinafter "Logo") are registered trademarks with the State of Texas Secretary of State and the City of Rockwall is the owner of all rights to the Logo. It is the policy of the City of Rockwall to exercise due diligence to assure that misuse of its Logo or other approved logos representing the City, such as Police and Fire, does not occur or is corrected, and that the Logo shall not be used without express written authorization of the City Council. Such written authorization will be in the form of a grant of license to use the Logo. Requests for such use shall be made on an application form to be provided by the City Secretary's office. Any unauthorized use of the Logo will be referred to the City Attorney for review and action.

### Policy # 1004                      City Logo Apparel

The City will determine standard City logo apparel and other approved logos representing the City, such as the Police and Fire Department, when and who should be wearing such apparel as outlined in Administrative Directive. The City of Rockwall requires each employee's choice of attire to be appropriate and in good taste for business as stated in the Personal Appearance of Employees' Administrative Directive.

### Policy # 1005                      Cell Phone & Pager Use

By Administrative Directive the City will establish guidelines on the acquisition and use of wireless service and equipment. This policy applies to all City Departments, employees, and its representatives.