AGENDA

1. CALL SESSION TO ORDER

2. ROLL CALL

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. PROCLAMATIONS:
   
   5A. Proclamation declaring the month of October 2015, as Cyber Security Awareness Month in Hutto.

   5B. Proclamation declaring the month of October 2015, as Breast Cancer Awareness Month in Hutto.

6. PUBLIC COMMENT:
   
   6A. Remarks from visitors. (Three-minute time limit)

7. CONSENT AGENDA ITEMS:
All items listed on the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Council member in which event, the item will be removed from the consent agenda and considered as a regular agenda item.

7A. Consideration and possible action on a resolution concerning the proposed Subdivision Star Ranch Section 7 Phase 4 Final Plat, 21.39 acres, more or less, of land, 98 single family lots, located within Hutto’s extraterritorial jurisdiction at Kirkhill Street and Loch Lomond Street.

7B. Consideration and possible action on the meeting minutes for the September 3, 2015, and September 17, 2015 City Council Regular Meetings.

7C. Consideration and possible action on the second and final reading of an ordinance amending Chapter 2: Administration and Personnel; Article 2.03: Personnel; Section 2.03.002: Employee Policies and Procedures of the City of Hutto 2014 Code of Ordinances.

REGULAR AGENDA ITEMS

8. RESOLUTIONS:

8A. Consideration and possible action on a resolution nominating a representative to the Williamson County Appraisal District Board of Directors.

9. ADJOURNMENT

The City Council for the City of Hutto reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by the Texas Government Code Sections 551.071 [Litigation/Consultation with Attorney], 551.072 [Deliberations regarding real property], 551.073 [Deliberations regarding gifts and donations], 551.074 [Deliberations regarding personnel matters] or 551.076 [Deliberations regarding deployment/implementation of security personnel or devices] and 551.087 [Deliberations regarding Economic Development negotiations].

CERTIFICATION

I certify that this notice of the October 1, 2015 Hutto City Council meeting was posted on the City Hall bulletin board of the City of Hutto on Friday, the 25th day of September 2015 at 2:40pm.

Seth Gipson, City Secretary

The City of Hutto is committed to comply with the American with Disabilities Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special communications or accommodations must be made 48 hours prior to the meeting. Please contact the City Secretary at (512) 759-4033 or seth.gipson@huttoxc.gov for assistance.
AGENDA ITEM NO.: 7A.  
AGENDA DATE: October 01, 2015

PRESENTED BY: Helen Ramirez, AICP, Director, Development Services

ITEM: Consideration and possible action on a resolution concerning the proposed Subdivision Star Ranch Section 7 Phase 4 Final Plat, 21.39 acres, more or less, of land, 98 single family lots, located within Hutto’s extraterritorial jurisdiction at Kirkhill Street and Loch Lomond Street.

STRATEGIC GUIDE POLICY: Growth Guidance

ITEM BACKGROUND: The Star Ranch Section 7 Phase 4 final plat contains 98 single-family lots on 21.39 acres. The plat also contains one drainage easement lot and one lift station lot. The subdivision generally aligns with the approved preliminary plan, but includes fewer single-family lots due to increased lot sizes. A revised preliminary will be submitted to conform with the final plat. This plat is within Hutto’s extraterritorial jurisdiction, and is reviewed in coordination with Williamson County. Staff comments are minor and have been addressed.

BUDGETARY AND FINANCIAL SUMMARY: Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS: The Planning and Zoning Commission recommended approval to City Council on September 1, 2015. The motion passed unanimously.

CITY ATTORNEY REVIEW: Not applicable.

STAFF RECOMMENDATION: Staff recommends that the Council approve the resolution.

SUPPORTING MATERIAL: 1. Star Ranch Section 7 Phase 4 Final Plat
DESIGNATION
STATE OF TEXAS
COUNTY OF WILLMINGTON
KNOW ALL MEN BY THESE PRESENTS THAT
SR INVESTMENTS, LTD., A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH COMMERCE TEXAS PROPERTIES, GENERAL PARTNER, BY THOMAS TAMIKA, PRESIDENT, BEING THE OWNER OF THAT 21.96 ACRES TRACT OF LAND CONVEYED TO IT BY DEED RECORDED IN DOCUMENT NO. 121976 OF THE OFFICIAL PUBLIC RECORDS OF WILLMINGTON COUNTY, TEXAS, DOES HEREBY SUBSCRIBE, ACKNOWLEDGE AND AFFIRM AND CONSENT TO ALL DESIGNATIONS AND PLAT NOTES REQUIREMENTS SHOWN HEREIN.
WE DO HEREBY APPROVE THE RECONSTRUCTION OF THE SUBDIVISION PLAT AND DECLARE THE SAME TO BE IN EFFECT AND DEEMED TO THE PUBLIC USE FOREVER ANY EASEMENTS AND ROADS THAT ARE SHOWN MERITORIOUS. THIS SUBDIVISION IS TO BE KNOWN AS "STAR RANCH SECTION 7 PHASE 4" AND FURTHER ACKNOWLEDGE THAT IT IS THE RESPONSIBILITY OF THE OWNER NOT THE COUNTY TO ASSURE COMPLIANCE WITH THE PROVISIONS OF ALL APPLICABLE STATE, FEDERAL AND LOCAL LAWS AND REGULATIONS RELATING TO THE ENVIRONMENT, INCLUDING BUT NOT LIMITED TO STATE AND FEDERAL ENVIRONMENTAL LAWS, STATE AGRICULTURE REGULATIONS AND MUNICIPAL ENHANCED ORDINANCES.
SR INVESTMENTS, LTD.
BY: [Signature]
THOMAS TAMIKA, PRESIDENT
2400 FM 663
WILLMINGTON, TEXAS 77564

ACKNOWLEDGMENT
THE STATE OF TEXAS
COUNTY OF WILLMINGTON
BEFORE ME, ON THIS DAY PERSONALLY APPEARED THOMAS TAMIKA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE USES AND CONSIDERATION THEREIN EXPRESSED.

THIS BY MY HAND AT OFFICE THIS THE __DAY OF ______________________, M.D. 20__

NOTARY PUBLIC SUBSCRIPTION

NOTARY PUBLIC PRINTED OR TYPED NAME

SEAL

NOTARY COMMISSION EXPIRED:

APPROVAL
CITY OF WILLMINGTON
THIS PLAT IS HEREBY APPROVED FOR RECORDING BY THE CITY COUNCIL, THIS ___ DAY OF __________, ________.

MAYOR, CITY OF WILLMINGTON, DATE
CITY SECRETARY, DATE

THIS SUBDIVISION IS LOCATED WITHIN THE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF WILLMINGTON, THIS ___ DAY OF __________, __________.

HELEN RAMIREZ, AGC, DIRECTOR
CITY OF WILLMINGTON DEVELOPMENT SERVICES DEPARTMENT

SURVEYOR'S CERTIFICATION
I, J. KENNETH WEEDON, JR. HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL SURVEY OF THE LAND SHOWN HEREIN AND THAT THE OUTLINE WRITINGS SHOWN HEREIN WERE PREPARED AND DRAWN PROMPTLY PLACED UNDER MY SUPERVISION. THIS PLAT COMPLIES WITH THE REQUIREMENTS OF WILLMINGTON COUNTY. ALL EASEMENTS OF RECORDS OF WHICH I HAVE KNOWLEDGE ARE SHOWN OR NOTED ON THE PLAT. THIS NOTES HEREON ARE MARKED CORRECTLY.

J. KENNETH WEEDON, JR.
SURVEYOR, NO. 9341
STATE OF TEXAS

ENGINEER'S CERTIFICATION
NO PORTION OF THIS TRACT IS WITHIN THE 100 YEAR FLOOD PLAIN AS SHOWN ON FLOOD INSURANCE RISK COMMUNITY PANEL, NUMBER 01400321, EFFECTIVE SEPTEMBER 26, 2008, FOR WILLMINGTON COUNTY, TEXAS.
I, R. BRIAN JONES, JR. HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT COMPLIES WITH THE SUBDIVISION ORDINANCES AND THE STORMWATER MANAGEMENT POLICY ADOPTED BY WILLMINGTON COUNTY, TEXAS.

R. BRIAN JONES, JR.
ENGINEER, NO. 92917
1230 E. BRAECKER LANE
WILLMINGTON, TEXAS 77564

IN APPROVING THIS PLAT TO THE COMMISSIONER'S COURT OF WILLMINGTON COUNTY, TEXAS, IT IS UNDERSTOOD THAT THE BUILDING OF ALL ROADS, STREETS, AND OTHER PUBLIC IMPROVEMENTS AND ANY BRIDGES OR OTHER STRUCTURES NECESSARY TO BE CONSTRUCTED OR PLACED ON THE PUBLIC DOMAIN OF THE OWNER OF THE LAND COVERED BY THIS PLAT ARE THE RESPONSIBILITY OF THE OWNER OF THE LAND COVERED BY THIS PLAT; THAT THE OWNER OF THE LAND COVERED BY THIS PLAT IS RESPONSIBLE FOR THE PAYMENT OF ALL FEES DUE AND DUES ON THE BOUNDARIES OF THE OWNERSHIP AS SHOWN BY THIS PLAT; AND THAT ALL OBLIGATIONS AS SHOWN BY THIS PLAT FOR THE PAYMENT OF ALL FEES DUE AND DUES ON THE BOUNDARIES OF THE OWNERSHIP AS SHOWN BY THIS PLAT ARE THE RESPONSIBILITY OF THE OWNER OF THE LAND COVERED BY THIS PLAT. IN APPROVING THIS PLAT TO THE COMMISSIONER'S COURT OF WILLMINGTON COUNTY, TEXAS; COMMISIONERS' COURT REQUESTS THE OWNER TO BUILD ANY OF THE ROADS, STREETS, OR OTHER PUBLIC IMPROVEMENTS SHOWN ON THIS PLAT OF OR CONSTRUCT ANY OF THE BRIDGES OR DRAINAGE STRUCTURES SHOWN ON THIS PLAT, INCLUDING ANY OF THE BRIDGES OR DRAINAGE STRUCTURES TO BE CONSTRUCTED OR PLACED ON THE PUBLIC DOMAINS, OTHER THAN THOSE SHOWN ON THE ROAD PLAN AND SYSTEMS.

THE COUNTY ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF REPRESENTATIONS OR INFORMATION CONCERNING THIS TRACT AND THIS PLAT IS FURNISHED TO THE COUNTY COMMISSIONERS COURT OF WILLMINGTON COUNTY. THE COUNTY ASSUMES NO RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS MADE IN THIS PLAT OR ANY IMPROVEMENTS OR CONSTRUCTION OF SUCH IMPROVEMENTS, INCLUDING THE BUILDING OF ANY ROADS, STREETS, OR OTHER PUBLIC IMPROVEMENTS SHOWN ON THIS PLAT. THIS PLAT IS FURNISHED TO THE COUNTY COMMISSIONERS COURT OF WILLMINGTON COUNTY AND THE COUNTY COMMISSIONERS COURT OF WILLMINGTON COUNTY, TEXAS, MAY USE THIS PLAT AS A PART OF THEIR RECORDS. THIS PLAT IS FURNISHED TO THE COUNTY COMMISSIONERS COURT OF WILLMINGTON COUNTY, TEXAS. ALL OF THE IMPROVEMENTS OR CONSTRUCTIONS ON THIS PLAT HAVE NOT BEEN PERMITTED BY THE COUNTY COMMISSIONERS COURT OF WILLMINGTON COUNTY, TEXAS AND THE OWNER MAY BE LIABLE FOR THE COST OF ANY IMPROVEMENTS OR CONSTRUCTIONS SHOWN ON THIS PLAT, WHICH ARE NOT PERMITTED OR CONSTRUCTED IN ACCORDANCE WITH THE LAW.

STATE OF TEXAS
COUNTY OF WILLMINGTON
KNOWN ALL MEN BY THESE PRESENTS, I, SAM A. GATTEC, JUDGE OF WILLMINGTON COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS MAP OR PLAT, WITH FIELD NOTES HERETO, THAT A SUBDIVISION HAS BEEN FULLY PRESENTED TO THE COMMISSIONER'S COURT OF WILLMINGTON COUNTY, TEXAS, AND THAT THE COURT PROPERLY CONSIDERED, ON THIS DATE APPROVED, AND IT IS AUTHORIZED TO BE REGISTRATION IN THE PUBLIC RECORDS OF THE COUNTY CLERK OF WILLMINGTON COUNTY, TEXAS.

SAM A. GATTEC, JUDGE
WILLMINGTON COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF WILLMINGTON
I, NANCY RUSTER, CLERK OF THE COUNTY COURT AT LAW OF WILLMINGTON COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WAS FILED WITH THE CHAIRMAN OF MY OFFICE ON THE ___ DAY OF ________________, A. D. AT ___ O'CLOCK __ M.M. AND DUE NOTED ON THE ___ DAY OF ________________, A. D. AT ___ O'CLOCK __ M.M. IN THE OFFICIAL PUBLIC RECORDS OF WILLMINGTON COUNTY IN DOCUMENT NO. ____________.

NANCY RUSTER, CLERK
COUNTY COURT WILLMINGTON COUNTY, TEXAS

DEPUTY

DATE: NOV 20, 2024
RANDALL JONES & ASSOCIATES ENGINEERING, INC.
1722 E. BRAECKER LANE, AUSTIN, TEXAS 78753
(512) 458-7022 FAX (512) 332-4877
RJ SURVEYING & ASSOCIATES, INC.
1722 E. BRAECKER LANE, AUSTIN, TEXAS 78753
(512) 458-7022 FAX (512) 332-4877
AGENDA ITEM NO.: 7B. AGENDA DATE: October 01, 2015

PRESENTED BY: Seth Gipson, City Secretary

ITEM: Consideration and possible action on the meeting minutes for the September 3, 2015, and September 17, 2015 City Council Regular Meetings.

STRATEGIC GUIDE POLICY: Leadership

ITEM BACKGROUND: The City Council meeting minutes for the September 3, 2015, and September 17, 2015 City Council Regular Meetings have been drafted for the City Council’s review and consideration.

BUDGETARY AND FINANCIAL SUMMARY: Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS: Not applicable.

CITY ATTORNEY REVIEW: Not applicable.

STAFF RECOMMENDATION: Staff recommends approval of the City Council meeting minutes for the September 3, 2015, and September 17, 2015 City Council Regular Meetings.

The Hutto City Council met in a regular session on Thursday September 3, 2015 in the Hutto City Council Chamber, 401 W. Front Street, Hutto, TX 78634.

CALL SESSION TO ORDER

Mayor Holland called the session to order at 7:00 p.m.

ROLL CALL

Members of the City Council that were present were Mayor Debbie Holland, Mayor Pro-tem Michael J. Smith, Councilmember Anne Cano, Councilmember Tom Hines, Councilmember Ronnie Quintanilla-Perez, Councilmember Lucio Valdez, and Councilmember Max V. Yeste.

Members of staff that were present were Karen Daly, City Manager, Micah Grau, Assistant City Manager, Charlie Crossfield City Attorney, Helen Ramirez, Development Services Director, Melanie Hudson, Finance Director, Randy Barker, General Services Director, and Earl Morrison, Chief of Police.

INVOCATION

The invocation was given by Pastor Seth Simmons with New Life Pentecostal Church.

PLEDGE OF ALLEGIANCE

Mayor Holland led the Pledge of Allegiance.

PUBLIC COMMENT

5A. Remarks from visitors.

Chief Scott Kerwood, with Williamson County Emergency Services District #3 read the letter as attached as Exhibit A.

CONSENT AGENDA ITEMS:

All items listed on the consent agenda were considered to be routine by the City Council and were enacted by one motion. There was no separate discussion of the items listed and no items were removed from the consent agenda.

6A. Consideration and possible action on a resolution concerning the proposed Subdivision Star Ranch Phase 2 Revised Preliminary Plat, 21.97 acres, more or less.
of land, 24 single-family lots and 8 commercial lots, located within Hutto’s extraterritorial jurisdiction at Muirfield Bend Drive and Muirfield Bend Cove.

6B. Consideration and possible action on a resolution concerning the proposed Subdivision Amended Plat of Lots 1-4, 5 (S/PT) and 7, Block 9 of the Railroad Addition, 1.478 acres, more or less, of land, 1 commercial lot, located at 301 West Street.

6C. Consideration and possible action on the second reading of an ordinance amending the Fiscal Year 2014-15 Budget.

6D. Consideration and possible action on the meeting minutes for the July 11, 2015 City Council Work Session, July 30, 2015 Special Called City Council meeting, August 6, 2015 City Council Regular Meeting, and the August 13, 2015 City Council Special Called Meeting.

MOTION: Mayor Pro-tem Michael Smith moved to approve all the items listed on the consent agenda. Councilmember Tom Hines seconded the motion. The motion carried with 7 ayes and 0 nays.

REGULAR AGENDA ITEMS

Mayor Holland dispensed with the order of the agenda items and the City Council addressed item 8D. Councilmember Tom Hines recused himself due to a conflict of interest.

8D. Consideration and possible action on a resolution concerning an outside agency funding agreement with Williamson County Emergency Services District #3 for Fiscal Year 2016.

MOTION: Councilmember Ronnie Quintanilla-Perez moved to approve the resolution concerning an outside agency funding agreement with Williamson County Emergency Services District #3 for Fiscal Year 2016. Mayor Pro-tem Michael Smith seconded the motion. The motion carried with 6 ayes and 0 nays.

ORDINANCES

7A. Consideration of a public hearing and possible action on the first reading of an ordinance concerning the zoning change for 2201 Limmer Loop, 2.0 acres, more or less, of land, Lot 5, Block 1 of the Maldonado Subdivision, from (I) SF-1 (Interim single family residential) to B-2 (Commercial: general) zoning district.

Helen Ramirez, Development Services Director, gave the staff presentation. The property, owned by Maldonado 164 LTD, was annexed in 2012. When a property is annexed into the City of Hutto, the owner may request a zoning district consistent with the Future Land Use Map, or be assigned interim SF-1 zoning. This interim zoning
provides land use controls on the newly-incorporated property when its future use is still unknown. Upon annexation, and in the absence of a request otherwise, this property was assigned an interim zoning designation of SF, Single Family Residential. The Future Land Use Map in the Hutto 2040 Comprehensive Plan identifies much of the northern Limmer Loop corridor as commercial. Hutto 2040 calls for a financially-sustaining development pattern, with an increased proportion of non-residential assessed property value in the City. This zoning change from residential to commercial aligns with the City’s adopted Future Land Use Map and the Comprehensive Plan. The property is well-suited for commercial activity. The rectangular lot has approximately 190 linear feet of frontage and totals two acres. The minimum lot area for a new commercial lot in Hutto is 1 acre. The B-2 General Commercial district is a setting for development of a wide range of retail uses, offices and personal and business services. The array of permitted uses includes retail, office, restaurant, gas station, vehicle minor repair, and other commercial activities. Permitted uses are described in detail in section 10.403 of the Unified Development Code. All property owners within 200 feet have been notified by mail of the proposed zoning change. As of August 25, no responses have been received.

Mayor Debbie Holland opened the public hearing at 7:13 pm

There being no one registered to speak, the public hearing was closed at 7:14 pm.

MOTION: Councilmember Anne Cano moved to approve the first reading of the ordinance concerning the zoning change for 2201 Limmer Loop, 2.0 acres, more or less, Lot 5, Block 1 of the Maldonado Subdivision, from (I) SF-1 (Interim single family residential) to B-2 (Commercial: general) zoning district. Councilmember Ronnie Quintanilla seconded the motion. The motion carried with 7 ayes and 0 nays.

MOTION: Councilmember Tom Hines moved to dispense with the second reading of the ordinance with the unanimous consent of all the councilmembers present and to adopt the ordinance concerning the zoning change for 2201 Limmer Loop, 2.0 acres, more or less, Lot 5, Block 1 of the Maldonado Subdivision, from (I) SF-1 (Interim single family residential) to B-2 (Commercial: general) zoning district. Councilmember Lucio Valdez seconded the motion. The motion carried with 7 ayes and 0 nays.

7B. Consideration of a public hearing and possible action on the first reading of an ordinance concerning the zoning change for 2235 Limmer Loop, 2.0 acres, more or less, of land, Lot 4, Block 1 of the Maldonado Subdivision, from (I) SF-1 (Interim single family residential) to B-2 (Commercial: general) zoning district.

Helen Ramirez, Development Services Director, gave the staff presentation. The property, owned by Maldonado 164 LTD, was annexed in 2012. When a property is annexed into the City of Hutto, the owner may request a zoning district consistent with the Future Land Use Map, or be assigned interim SF-1 zoning. This interim zoning provides land use controls on the newly-incorporated property when its future use is still unknown. Upon annexation, and in the absence of a request otherwise, this property was
assigned an interim zoning designation of SF, Single Family Residential. The Future Land Use Map in the Hutto 2040 Comprehensive Plan identifies much of the northern Limmer Loop corridor as commercial. Hutto 2040 calls for a financially-sustaining development pattern, with an increased proportion of non-residential assessed property value in the City. This zoning change from residential to commercial aligns with the City’s adopted Future Land Use Map and the Comprehensive Plan. The property is well-suited for commercial activity. The rectangular lot has approximately 190 linear feet of frontage and totals two acres. The minimum lot area for a new commercial lot in Hutto is 1 acre. The B-2 General Commercial district is a setting for development of a wide range of retail uses, offices and personal and business services. The array of permitted uses includes retail, office, restaurant, gas station, vehicle minor repair, and other commercial activities. Permitted uses are described in detail in section 10.403 of the Unified Development Code. All property owners within 200 feet have been notified by mail of the proposed zoning change. As of August 25, no responses have been received.

Mayor Debbie Holland opened the public hearing at 7:18 pm.

There being no one registered to speak, the public hearing was closed at 7:18 pm

MOTION: Councilmember Tom Hines moved to approve the first reading of the ordinance concerning the zoning change for 2235 Limmer Loop, 2.0 acres, more or less, of land, Lot 4, Block 1 of the Maldonado Subdivision, from (I) SF-1 (Interim single family residential) to B-2 (Commercial: general) zoning district. Mayor Pro-tem Michael Smith seconded the motion. The motion carried with 7 ayes and 0 nays.

MOTION: Councilmember Tom Hines moved to dispense with the second reading of the ordinance with the unanimous consent of all the councilmembers present and to adopt the ordinance concerning the zoning change for 2235 Limmer Loop, 2.0 acres, more or less, of land, Lot 4, Block 1 of the Maldonado Subdivision, from (I) SF-1 (Interim single family residential) to B-2 (Commercial: general) zoning district. Councilmember Ronnie Quintanilla-Perez seconded the motion. The motion carried with 7 ayes and 0 nays.

7C. Consideration and possible action on the first reading of an ordinance amending the City of Hutto fee schedule concerning Article A5.000 Utilities.

Melanie Hudson, Finance Director, gave the staff presentation. The City conducted a utility rate study in 2012 with HDR Engineering, Inc. Based on the recommendations generated by the rate study, water rates were increased 15% in May 2013. The rate model was updated in July 2014 to reflect actual growth, consumption expenditures, which resulted in Council approving a 5% water rate increase for FY 2015. After updating the rate model in July 2015, staff presented rate adjustment options to City Council during the FY 2016 budget work session on July 30, 2015.

The City Council provided staff direction on rate adjustments that would go into effect on October 1, 2015. The proposed rates are reflecting a 5% increase for both water and wastewater rates. The rate change would result in a combined $5.53 increase ($3.64
water and $1.89 wastewater) in the average monthly residential bill, based on 7,000 gallons consumption.

**MOTION:** Councilmember Max Yeste moved to approve the first reading of an ordinance amending the City of Hutto fee schedule concerning Article A5.000 Utilities. Councilmember Anne Cano seconded the motion. The motion carried with 7 ayes and 0 nays.

**7D.** Consideration and possible action on the first reading of an ordinance making appropriations for the support of the City of Hutto for the Fiscal Year October 1, 2015 through September 30, 2016, and adopting the annual budget of the City of Hutto for Fiscal Year 2015-16.

Melanie Hudson, Finance Director, gave the staff presentation. The proposed Fiscal Year 2015-16 Budget was presented to the City Council on July 30. The required budget Public Hearing was held on August 13th and August 20th. According to the City Charter, the City Council must adopt the budget on or before the last day of the last month of the current fiscal year. The Council is free to make whatever changes it feels are appropriate so long as sources of additional funding are also identified, if required. The ordinance to adopt the Fiscal Year 2015-16 Budget establishes appropriations for the 2016 Fiscal Year. Total revenues and expenses will depend on the tax rate the City Council chooses to adopt.

**MOTION:** Councilmember Ronnie Quintanilla-Perez moved to approve the first reading of an ordinance making appropriations for the support of the City of Hutto for the Fiscal Year October 1, 2015 through September 30, 2016, and adopting the annual budget of the City of Hutto for Fiscal Year 2015-16. Mayor Pro-tem Michael Smith seconded the motion.

**VOTE:**
Ayes: Mayor Debbie Holland
Mayor Pro-tem Michael Smith
Councilmember Anne Cano
Councilmember Tom Hines
Councilmember Ronnie Quintanilla-Perez
Councilmember Lucio Valdez
Councilmember Max Yeste

Nays: None
Abstain: None
Absent: None

**ACTION:** The motion carried unanimously.

**7E.** Consideration and possible action on the first reading of an ordinance levying Ad Valorem taxes for the use and support of the municipal government for the City of Hutto for the Tax Year 2015.
Melanie Hudson, Finance Director, gave the staff presentation. On July 30, 2015, the City Council took a record vote on the proposed ad valorem rate. While this vote did not establish the tax rate, it did establish a ceiling for tax rate consideration. The Council set a tax ceiling at of $0.5285 per $100 valuation. The City Council will need to adopt a tax rate that corresponds with the 2015-16 Budget. The impact of the tax rate was discussed as part of the budget presentations. The City Council hosted two public hearings on the proposed ad valorem rate in August.

**MOTION:** Mayor Pro-tem Michael Smith moved that the property tax rate be increased by the adoption of a tax rate of $0.528500, which is effectively a 14.33 percent increase in the tax rate. Councilmember Max Yeste seconded the motion.

**VOTE:**

<table>
<thead>
<tr>
<th>Ayes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor Debbie Holland</td>
</tr>
<tr>
<td>Mayor Pro-tem Michael Smith</td>
</tr>
<tr>
<td>Councilmember Anne Cano</td>
</tr>
<tr>
<td>Councilmember Tom Hines</td>
</tr>
<tr>
<td>Councilmember Ronnie Quintanilla-Perez</td>
</tr>
<tr>
<td>Councilmember Lucio Valdez</td>
</tr>
<tr>
<td>Councilmember Max Yeste</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Nays:</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Abstain:</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Absent:</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
</tr>
</tbody>
</table>

**ACTION:** The motion carried unanimously.

**7F.** Consideration and possible action on the first reading of an ordinance ratifying an Ad Valorem tax increase for the 2015-16 Fiscal Year for the use and support of the municipal government for the City of Hutto for the Tax Year 2015.

Melanie Hudson, Finance Director, gave the staff presentation. House Bill 3195 was adopted by the Texas Legislature during the 2007 legislative session. It requires a separate vote of the governing body to ratify the property tax increase in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter 26, Tax Code, or other law. If the proposed tax rate of $0.5285 is adopted, this budget will raise more total property taxes than last year’s budget by $833,009 or 14.33%, and of that amount $344,038 is tax revenue to be raised from new property added to the tax roll this year. The budget for the General Fund and Interest and Sinking Fund are funded in part by the ad valorem tax.

**MOTION:** Mayor Pro-tem Michael Smith moved to approve the first reading of an ordinance ratifying an Ad Valorem tax increase for the 2015-16 Fiscal Year for the use and support of the municipal government for the City of Hutto for the Tax Year 2015. Councilmember Anne Cano seconded the motion. The motion carried with 7 ayes and 0 nays.
RESOLUTIONS

8A. Consideration and possible action on a resolution adopting the Fiscal Year 2016-2020 Capital Improvements Plan.

Helen Ramirez, Development Services Director, gave the staff presentation. The City Council held a joint meeting with the Planning and Zoning Commission on June 4, 2015, to hear the proposed FY 2016 – 2020 Capital Improvements Program. As required by the City Charter, the Planning and Zoning Commission will annually recommend a Capital Improvements Plan (CIP) to the City Council. On July 7, 2015, the Planning and Zoning Commission reviewed and recommended the CIP that was presented. The draft document presented to and recommended by the Planning and Zoning Commission has been revised through the budget process. Those changes are minimal and include the replacement of the water line on East Street so that it coincides with the other improvements being planned and funded on East Street during Fiscal Year 2015-16.

MOTION: Councilmember Ronnie Quintanilla-Perez moved to approve the resolution adopting the Fiscal Year 2016-2020 Capital Improvements Plan. Mayor Pro-tem Michael Smith seconded the motion. The motion carried with 7 ayes and 0 nays.

8B. Consideration and possible action on a resolution to allow the Hutto Independent School District to perform construction work outside of the time specified in the Unified Development Code (UDC) at the Norman Elementary School site.

Helen Ramirez, Development Services Director, gave the staff presentation. The City received a request from the Hutto ISD to perform additional construction work between the hours of 2:00 am and 7:00 am on the following days: Thursday September 10th or Friday September 11th; Thursday September 17th or Friday September 18th; Thursday September 24th or Friday September 25th; Thursday October 8th or Friday October 9th to perform construction work at the Norman Elementary School site to produce a better quality product.

Baird Williams, representing Baird Williams Construction Company, was available to answer questions about the project. He stated that the neighbors in the area have been notified. He also asked if Wednesdays could be added to the days that the pours could be conducted.

Chief Earl Morrison added that the City has received complaints, but when investigated the company is always in compliance.

MOTION: Councilmember Anne Cano moved to approve the resolution allowing the Hutto Independent School District to perform construction work at the Norman Elementary School site outside of the time specified in the Unified Development Code (UDC). Councilmember Lucio Valdez seconded the motion. The motion carried with 7 ayes and 0 nays.
8C. Consideration and possible action on a resolution concerning an agreement with Tyler Technologies to provide financial software products and services.

Melanie Hudson, Finance Director, gave the staff presentation. The City is currently using Springbrook Software for Finance, Utility Billing and Purchasing functions. After implementing Springbrook in 2007, the City attempted to utilize additional modules within the software (work orders, building permits and fixed assets) but lack of functionality caused staff to seek other solutions. Springbrook is a smaller company that offers enhanced customization and reporting features for organizations, but is also limited in resources and the ability to adapt to growing needs. Simply put, the City organization (now and in the future) appears to have Springbrook Software. The system still relies on many manual processes that are limiting staff efficiencies while support and assistance are minimal due to company resources. Replacement of the current financial software was a primary recommendation of the Technology Task Force appointed by Council in 2013. The Task Force recognized transition to an enterprise software solution would be a significant cost consideration, but in their opinion was an inevitable factor that should be included in budget planning for the near future. An enterprise software solution should incorporate modules that may eliminate (or interface with) some of the third solutions currently being used by departments while enhancing standardization and automation of processes. City staff formed an internal project team to study possible alternatives to Springbrook Software. After conducting surveys of peer and benchmark cities, Tyler Technologies’ Incode product was the most widely used and supported product identified. Tyler Technologies currently services over 750 governmental entities in Texas, in direct comparison to Springbrook Software’s approximate 20 customers. A demonstration of the product was presented to all City departments and users in April 2015 with detailed follow up as needed. The project team was unanimous in recommending Incode software as the preferred choice for the City. Procurement of the Incode product is available through the cooperative purchasing program of the National Joint Powers Alliance (NJPA). The City of Hutto is a member of the NJPA and authorized to purchase from the existing contract in accordance with Local Government party.

Kirk Cunningham, a Tyler Technology Representative, fielded questions concerning data migrations, training costs, impacts on departments, and potential deployment timeline.

MOTION: Councilmember Max Yeste moved to approve the resolution concerning an agreement with Tyler Technologies to provide financial software products and services. Councilmember Anne Cano seconded the motion. The motion carried with 7 ayes and 0 nays.

WORK SESSION

The work session was conducted for information and educational purposes. No action was taken by the City Council on the item listed.
9A. Work session on tips and recommendations regarding the filming and replay of City Council meetings.

Christina Kane-Gibson, Public Information Officer, introduced Brian Ligon, Multimedia Specialist for the City of Round Rock. Mr. Ligon presented tips and techniques to use while on camera. The presentation addressed many topics from mannerisms to make-up. Mr. Ligon completed the presentation with an evaluation of the first recorded meeting and answered questions from the Council.

EXECUTIVE SESSION

10A. Executive Session as authorized by §551.074, Texas Government Code, Personnel Matters, regarding appointment to the Hutto Economic Development Corporation Board of Directors.

The City Council recessed to the City Hall Conference Room at 8:50pm for the Executive Session and reconvened back into regular session at 9:07pm.

ACTION RELATIVE TO EXECUTIVE SESSION

11A. Consideration and possible action on the recommendation from the Leadership and Legislative Committee regarding the appointment to the Hutto Economic Development Corporation Board of Directors.

MOTION: Councilmember Ronnie Quintanilla-Perez moved to appoint Jeff Coombs to the Hutto Economic Development Corporation Board of Directors, to fill an unexpired term expiring in December 2017, effective October 1, 2015. Councilmember Anne Cano seconded the motion. The carried with 7 ayes and 0 nays.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:08 p.m.

CITY OF HUTTO, TEXAS

Debbie Holland, Mayor

ATTEST:

Seth Gipson, City Secretary
Good Evening Council;

It has come to my attention that your new proposed City Budget may include a Fire Inspector position. I am asking you to vote against this position. Hutto Fire Rescue has been providing you free of charge this service since around 2005. Together we have brought a higher level of fire safety to the citizens of the city of Hutto and to the surrounding area. By providing these new construction inspections to the businesses in Hutto we are guaranteeing that the businesses meet the fire code that has been adopted by the City of Hutto.

While we all know there have been challenges with inspections in the past, those days are long gone. We provide a friendlier, kinder inspection service designed to meet the needs of the customer. It is my opinion that this proposed position is placed in your budget because we required the City of Hutto to have the Gin Building meet the adopted Fire Code. I was approached by the administration of the City of Hutto to classify the Gin Building as a utility building. I would not allow that. Had the utility classification gone through, it would have been a very expensive building to not be able to hold events in. It is not, it is classified as an assembly occupancy and has the fire protection requirements necessary for a safe public venue.

Also during your workshop it was mentioned that you want to be able to make sure that meetings involve all of the inspectors. We have been involved in those meetings in the past. It is only this past 12-18 months that we have not been asked to be involved, and in fact have not heard when those meetings occur. As you will remember, together we put in place a “one-stop shopping” for the builders so as to reduce the burden of building and running a business in this community. This does not do that by having your own fire inspector. Now the potential for two different inspection agencies for the same thing is being proposed.

Plus I have a concern about the quality of work that will be done by your fire inspector. This stems from the fact that we were asked by the City of Hutto to identify something in the fire code that would prevent a subdivision from being built simply because Development Services did not like how the subdivision development was laid out. So is this what can be expected from your own fire inspector — selectively enforcing the adopted fire code to meet the whims of certain individuals here at the City of Hutto?

Also how are we going to receive information about new buildings? Are you going to do the required annual inspections for all of the current business in town? Are you going to update all of my records on an ongoing regular basis for purposes of citizen safety and firefighter safety? How are we going to make sure that the fire hydrants and roads meet the fire code? How are you going to get the information to our database so that our preplan information is current? Are my firefighters and fire inspectors to turn their head if they see a violation of the fire code? If I know, as a fire inspector, that there is something wrong with a new building, building under construction, or existing building, or it does not meet code, I have a responsibility and obligation to correct the problem. This will not change. You want to make sure that it is done correctly on the front end so that there are not problems once that building is already occupied. By continuing with Hutto Fire Rescue doing fire inspections you are guaranteed that when the buildings are built, they meet the required code.

I believe that this new position is just another means by the city administration to shut us out of the community growth process and not have a say in the safety or our residents. Again I am asking you to not fund this position and allow us to continue the public safety relationship that we have enjoyed as this community has grown. However, if this is something that you feel you must fund, then provide this funding to Hutto Fire Rescue so we can hire another fire inspector.

Thank you.

Scott D. Kerwood, Fire Chief
Hutto Fire Rescue
The Hutto City Council met in a regular session on Thursday September 17, 2015 in the Hutto City Council Chamber, 401 W. Front Street, Hutto, TX 78634.

CALL SESSION TO ORDER

Mayor Holland called the session to order at 7:00 p.m.

ROLL CALL

Members of the City Council that were present were Mayor Debbie Holland, Mayor Pro-tem Michael J. Smith, Councilmember Anne Cano, Councilmember Tom Hines, Councilmember Ronnie Quintanilla-Perez, Councilmember Lucio Valdez, and Councilmember Max V. Yeste arrived at 7:01pm

Members of staff that were present were Karen Daly, City Manager, Micah Grau, Assistant City Manager, Charlie Crossfield, City Attorney, Melanie Hudson, Finance Director, Amy McGlothlin, Human Resources Director, and Earl Morrison, Chief of Police.

INVOCATION

The invocation was given by Pastor Michael Roepke with New Hope Christian Church.

PLEDGE OF ALLEGIANCE

Mayor Holland led the Pledge of Allegiance.

PUBLIC COMMENT

5A. Remarks from visitors.

There were no remarks from the visitors present.

CONSENT AGENDA ITEMS:

All items listed on the consent agenda were considered to be routine by the City Council and were enacted by one motion. There was no separate discussion of the items listed and no items were removed from the consent agenda.
6A. Consideration and possible action on the second and final reading of an ordinance amending the City of Hutto fee schedule concerning Article A5.000 Utilities.

6B. Consideration and possible action on the meeting minutes for the August 20, 2015 City Council Regular Meeting and the August 27, 2015 City Council Work Session.

MOTION: Councilmember Tom Hines moved to approve all the items listed on the consent agenda. Mayor Pro-tem Michael Smith seconded the motion. The motion carried with 7 ayes and 0 nays.

REGULAR AGENDA ITEMS

ORDINANCES

7A. Consideration and possible action on the first reading of an ordinance amending Chapter 2: Administration and Personnel; Article 2.03: Personnel; Section 2.03.002: Employee Policies and Procedures of the City of Hutto 2014 Code of Ordinances.

Amy McGlothlin, Human Resources Director, gave the staff presentation. Periodically, it is necessary to amend the Employee Policies and Procedures Handbook to reflect changes in policy to ensure the fair and equitable treatment of employees as well as ensuring the overall operational efficiency of the organization.

Ms. McGlothlin outlined the following recommended changes to the City of Hutto Employee Policies and Procedures Handbook. The majority of the changes were minor housekeeping/clarification items. Other changes were reflective to changes in the federal and state laws.

- Removal of Classification & Pay Plan policy
- Removal of Classification & Pay Plan policy
- Removal of Classified and Unclassified Service policy
- Removal of Compensation Plan policy
- Removal of Performance Evaluation System policy
- Removal of Reserve Personnel policy
- Addition of Classification & Compensation Administration policy
- Addition of Employee Volunteer Paid Leave policy
- Drug and Alcohol Use policy
- Family and Medical Leave Act policy
- Holidays policy
- Light Duty policy
- Overtime and Time Management policy
- Recruitment and Selection policy
- Sick Leave policy
- Weapons Control policy
MOTION: Councilmember Ronnie Quintanilla-Perez moved to approve the first reading of an ordinance amending Chapter 2: Administration and Personnel; Article 2.03: Personnel; Section 2.03.002: Employee Policies and Procedures of the City of Hutto 2014 Code of Ordinances. Councilmember Tom Hines seconded the motion. The motion carried with 7 ayes and 0 nays.

7B. Consideration and possible action on the second and final reading of an ordinance making appropriations for the support of the City of Hutto for the Fiscal Year October 1, 2015 through September 30, 2016, and adopting the annual budget of the City of Hutto for Fiscal Year 2015-16.

Melanie Hudson, Finance Director, gave the staff presentation. The ordinance to adopt the Fiscal Year 2015-16 Budget establishes appropriations for the 2016 Fiscal Year. Total revenues and expenses depend on the tax rate the City Council chooses to adopt. There have been no changes since the first reading of the ordinance.

MOTION: Councilmember Ronnie Quintanilla-Perez moved to approve the second and final reading of the ordinance making appropriations for the support of the City of Hutto for the Fiscal Year October 1, 2015 through September 30, 2016, and adopting the annual budget of the City of Hutto for Fiscal Year 2015-16. Councilmember Anne Cano seconded the motion.

VOTE:   Ayes:  Mayor Debbie Holland
Mayor Pro-tem Michael Smith
Councilmember Anne Cano
Councilmember Tom Hines
Councilmember Ronnie Quintanilla-Perez
Councilmember Lucio Valdez
Councilmember Max Yeste

Nays:  None
Abstain:  None
Absent:  None

ACTION: The motion carried unanimously.

7C. Consideration and possible action on the second and final reading of an ordinance levying Ad Valorem taxes for the use and support of the municipal government for the City of Hutto for the Tax Year 2015.

Melanie Hudson, Finance Director, made the staff presentation. On July 30, 2015, the City Council took a record vote on the proposed ad valorem rate. While this vote did not establish the tax rate, it did establish a ceiling for tax rate consideration. The Council set a tax ceiling at of $0.5285 per $100 valuation. The City Council needs to adopt a tax rate that corresponds with the 2015-16 Budget. The impact of the tax rate was discussed as
part of the budget presentations. The City Council hosted two public hearings on the proposed ad valorem rate in August.

**MOTION:** Councilmember Max Yeste moved that the property tax rate be increased by the adoption of a tax rate of $0.5285, which is effectively a 14.33 percent increase in the tax rate. Councilmember Anne Cano seconded the motion. The motion carried with 7 ayes and 0 nays.

Councilmember Ronnie Quintanilla-Perez clarified for the audience that this is not an increase in the actual tax rate, but because the rate generates more money than last year, due to an increase in appraisal values, it is considered an increase in taxes.

**7D. Consideration and possible action on the second and final reading of an ordinance ratifying an Ad Valorem tax increase for the 2015-16 Fiscal Year for the use and support of the municipal government for the City of Hutto for the Tax Year 2015.**

Melanie Hudson, Finance Director, gave the staff presentation. House Bill 3195 was adopted by the Texas Legislature during the 2007 legislative session. It requires a separate vote of the governing body to ratify the property tax increase in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter 26, Tax Code, or other law.

**MOTION:** Councilmember Max Yeste moved to approve the second and final reading of the ordinance ratifying an Ad Valorem tax increase for the 2015-16 Fiscal Year for the use and support of the municipal government for the City of Hutto for the Tax Year 2015. Mayor Pro-tem Michael Smith seconded the motion. The motion carried with 7 ayes and 0 nays.

**RESOLUTIONS**

**8A. Consideration and possible action on a resolution concerning the update of the 2035 Strategic Guide.**

Karen Daly, City Manager, gave the staff presentation. On August 27, 2015, the City Council convened for a planning retreat facilitated by The Management Connection. The retreat concentrated on reaffirming and updating the 2035 Strategic Guide for the City. The policies were discussed and reaffirmed and some goals were modified while others were removed due to completion or due to being a program instead of a policy. The Strategic Guide for 2035 has incorporated all of those changes. Ms. Daly also presented the strategic work plan for 2016.

Councilmember Max Yeste stated that one modification needed to be made under the Fiscal and Budgetary Policy. The fifth bullet point: Increase reserves to recognized standards, should state: Maintain reserves according to recognized standard, because the City has reached that goal.
MOTION: Councilmember Ronnie Quintanilla-Perez moved to approve the resolution concerning the update of the 2035 Strategic Guide. Mayor Pro-tem Smith seconded the motion. The motion carried with 7 ayes and 0 nays.

EXECUTIVE SESSION

10A. Executive Session as authorized by §551.074, Texas Government Code, related to the discussion, deliberation, and/or negotiations regarding the semi-annual performance evaluation of the City Manager.

The City Council recessed to the City Hall Conference Room at 7:34 pm for the Executive Session and reconvened back into regular session at 9:16 pm.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:16 p.m.

CITY OF HUTTO, TEXAS

ATTEST: ________________________________

Debbie Holland, Mayor

_______________________________

Seth Gipson, City Secretary
AGENDA ITEM NO.: 7C.  
AGENDA DATE: October 01, 2015

PRESENTED BY: Amy McGlothlin, Human Resources Director

ITEM: Consideration and possible action on the second and final reading of an ordinance amending Chapter 2: Administration and Personnel; Article 2.03: Personnel; Section 2.03.002: Employee Policies and Procedures of the City of Hutto 2014 Code of Ordinances.

STRATEGIC GUIDE POLICY: Organizational Development

ITEM BACKGROUND:
Periodically, it is necessary to amend the Employee Policies and Procedures Handbook to reflect changes in policy to ensure the fair and equitable treatment of employees as well as ensuring the overall operational efficiency of the organization.

Staff is recommending the changes to the City of Hutto Employee Policies and Procedures Handbook as attached in Exhibit A. Major changes include:

- Removal of Classification & Pay Plan policy
- Removal of Classified and Unclassified Service policy
- Removal of Compensation Plan policy
- Removal of Performance Evaluation System policy
- Removal of Reserve Personnel policy
- Addition of Classification & Compensation Administration policy
- Addition of Employee Volunteer Paid Leave policy
- Drug and Alcohol Use policy
- Family and Medical Leave Act policy
- Holidays policy
- Light Duty policy
- Overtime and Time Management policy
- Recruitment and Selection policy
- Sick Leave policy
- Weapons Control policy

Additional changes were made for housekeeping purposes.
BUDGETARY AND FINANCIAL SUMMARY:
Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:
Not applicable.

CITY ATTORNEY REVIEW:
Catherine Fryer, legal counsel for the City on employment matters, has reviewed the changes.

STAFF RECOMMENDATION:
Staff recommends the Council approve the Ordinance.

SUPPORTING MATERIAL:
1. Ordinance - Personnel Policy
2. Exhibit A
ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 2: ADMINISTRATION AND PERSONNEL; ARTICLE 2.03; PERSONNEL; SECTION 2.03.002: EMPLOYEE POLICIES AND PROCEDURES OF THE CITY OF HUTTO CODE OF ORDINANCES; TO AMEND AND UPDATE THE CITY OF HUTTO EMPLOYEE POLICIES AND PROCEDURES HANDBOOK; PROVIDING FOR A SEVERABILITY CLAUSE AND REPEALING CLAUSE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

SECTION I.

Pursuant Section 13.04 Personnel Policy of the Hutto City Charter the administration of human resources of the city shall be governed by written rules and regulations to be known as “Personnel Policies.” The City Manager or his/her designee shall prepare such policies and recommend their adoption to the City Council. Such policies shall become effective when approved by the City Council.

SECTION II.

That the City Manager or his/her designee shall have power to recommend additions to, modifications of, or deletions from such policies to the City Council in the same manner used for adoption of the original policies. All policies adopted shall have the force and effect of law.

SECTION III.

A red-line copy of changes and additions to the Employee Policies and Procedures Handbook dated September 18, 2014 is attached as Exhibit “A.”

SECTION III.


SECTION III. Publication Clause

The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.
SECTION IV. Severability Clause

The provisions of this ordinance are severable, and if any sentence, section, or other parts of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

SECTION V. Repealing Clause

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

SECTION VI.

This ordinance shall become effective on the date of its adoption by the Hutto City Council and shall become effective upon the final reading of the ordinance from which this section derives. Any other personnel policies adopted by the city council are no longer effective after the date of the final reading of the ordinance from which this section derives.

SECTION VII. Open Meeting Clause

The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject hereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ and APPROVED the first reading of the ordinance on the _____ day of September, 2015 at a meeting of the Hutto City Council.

By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, APPROVED, and ADOPTED this _____ day of September, 2015.

CITY OF HUTTO, TEXAS

__________________________
Debbie Holland, Mayor

ATTEST:

________________________________
Seth Gipson, City Secretary
City of Hutto
Employee Policies & Procedures Handbook

Adopted by the City Council on September 18, 2014
# TABLE OF CONTENTS

Objectives .................................................................................................................................1  
Accident Reporting ..................................................................................................................2  
Accidents Involving City Equipment or Vehicles ....................................................................3  
Administrative Leave .............................................................................................................4  
Amendment of Policies ...........................................................................................................5  
Americans with Disabilities Act .............................................................................................6  
Application of Policies ...........................................................................................................7  
Attendance and Work Hours .................................................................................................8  
At-Will Employment ...............................................................................................................10  
**Cell Phone Use in the Workplace** .....................................................................................11  
City Property/Equipment Use ...............................................................................................12  
**Classification & Pay Plan** ...............................................................................................15  
**Classification and Compensation Administration** ..........................................................15  
**Classified and Unclassified Service** ..............................................................................16  
**Compensation Plan** .........................................................................................................17  
Compensatory Time .............................................................................................................18  
Complaint Resolution ...........................................................................................................20  
Confidentiality of Medical Information ..................................................................................21  
Conflict of Interest ..............................................................................................................22  
Core Values ..........................................................................................................................23  

---

Effective Date: **September 18, 2014**

Page ii
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dress, Appearance and Uniforms</td>
<td>24</td>
</tr>
<tr>
<td>Drug and Alcohol Policy for DOT Employees</td>
<td>29</td>
</tr>
<tr>
<td><strong>Drug and Alcohol Use Policy</strong></td>
<td>37</td>
</tr>
<tr>
<td>Education Reimbursement Program</td>
<td>43</td>
</tr>
<tr>
<td>Electronic Communications and Systems Access Use</td>
<td>45</td>
</tr>
<tr>
<td>Employee Assistance Program (EAP)</td>
<td>48</td>
</tr>
<tr>
<td>Employee Conduct and Work Rules/Disciplinary Action</td>
<td>49</td>
</tr>
<tr>
<td>Employee Safety</td>
<td>54</td>
</tr>
<tr>
<td><strong>Employee Volunteer Paid Leave Policy</strong></td>
<td>54</td>
</tr>
<tr>
<td>Employment Status</td>
<td>57</td>
</tr>
<tr>
<td>Equal Employment Opportunity</td>
<td>59</td>
</tr>
<tr>
<td>Exit Interviews</td>
<td>60</td>
</tr>
<tr>
<td><strong>Family and Medical Leave Act</strong></td>
<td>61</td>
</tr>
<tr>
<td>Fitness for Duty and Health/Medical Examinations</td>
<td>73</td>
</tr>
<tr>
<td>Fraud Prevention</td>
<td>74</td>
</tr>
<tr>
<td><strong>Funeral/Bereavement Leave</strong></td>
<td>75</td>
</tr>
<tr>
<td>Gifts</td>
<td>76</td>
</tr>
<tr>
<td>Group Health Continuation Coverage</td>
<td>77</td>
</tr>
<tr>
<td><strong>Holidays</strong></td>
<td>78</td>
</tr>
<tr>
<td>Inclement Weather/Emergency Closing</td>
<td>80</td>
</tr>
<tr>
<td>Injury Leave (On the Job)</td>
<td>81</td>
</tr>
<tr>
<td>Insurance</td>
<td>82</td>
</tr>
<tr>
<td><strong>Jury Duty</strong></td>
<td>83</td>
</tr>
</tbody>
</table>
Light Duty Assignments ................................................................. 84
Longevity Pay .................................................................................. 85
Management Authority ................................................................... 86
Media Policy Statement ................................................................. 87
Military Leave ................................................................................ 88
Nepotism ......................................................................................... 90
On-Call & Call Back Compensation (Non-Exempt Employees) .. 93
Outside and Self-Employment ...................................................... 95
Overtime and Time Management .................................................. 96
Payroll ......................................................................................... 98
Performance Evaluation System ....................................................... 99
Political Activity ............................................................................ 101
Private Telephone .......................................................................... 102
Promotions .................................................................................... 103
Recruitment and Selection ............................................................ 104
Reserve Personnel ......................................................................... 106
Residency Requirement .................................................................. 107
Retirement ..................................................................................... 108
Searches ....................................................................................... 109
Separations ................................................................................... 110
Sexual and Other Unlawful Harassment ....................................... 112
Sick Leave ..................................................................................... 115
Smoking .......................................................................................... 120
Social Security: Participation and Non-Participation ................................................................. 121
Solicitation ................................................................................................................................... 122
Texas Municipal Retirement System (TMRS) ............................................................................. 123
Travel .............................................................................................................................................. 124
Unpaid Leave of Absence ............................................................................................................. 127
Vacation Leave ............................................................................................................................... 129
Valid Driver’s License .................................................................................................................... 131
Volunteers ...................................................................................................................................... 132
Weapons Control ............................................................................................................................ 133
CITY OF HUTTO
EMPLOYEE POLICIES & PROCEDURES HANDBOOK

This Employee Policies & Procedures Handbook is a general guide, and the provisions of this Handbook do not alter the at-will employment relationship or constitute an employment agreement, a contract, or a guarantee of continued employment. The City of Hutto reserves the right to change the provisions of this Handbook at any time and without prior notice. The provisions contained in this policy manual are applicable to all employees. Any promise which conflicts with the provisions in this policy manual are effective only if in writing and signed by the Mayor or City Manager.

The objectives of the Employee Policies & Procedures Handbook are as follows:

● To promote good and uniform personnel practices and administration in the management of the City’s human resources.

● To develop a program of recruitment, advancement and tenure that will make municipal employment attractive as a career and encourage each employee to render such employee’s best services to the citizens of the City.

● To provide equitable and adequate compensation based upon individual merit and the relative duties and responsibilities of positions in the service of the City.

● To promote high morale by the consistent administration of these policies and through consideration of the rights and interests of all employees.

● To provide that tenure of employees covered by these policies shall be subject to good behavior, satisfactory performance, necessity for the position, and availability of funds.

All City employees are required to comply with the Employee Policies and Procedures Handbook. Failure to comply may result in disciplinary action up to and including termination.
ACCIDENT REPORTING

All accidents and injuries, however slight or seemingly inconsequential, must be reported as soon as possible but no later than 24 hours after the accident or injury to the employee’s immediate supervisor and to the Human Resources Division. Failure to report any accident or injury within 24 hours of its occurrence may lead to disciplinary action, up to and including termination of employment. Such reports are necessary so that the City can remain in compliance with applicable laws and begin workers’ compensation benefit procedures where appropriate.

Employees who violate safety standards, who cause or exacerbate hazardous or dangerous situations, or who fail to report or, where appropriate, correct such situations, will be subject to immediate disciplinary action, up to and including termination of employment.

See the section entitled Employee Safety for further guidance.
ACCIDENTS INVOLVING CITY EQUIPMENT OR VEHICLES

Any employee involved in an accident while operating City equipment or vehicles shall report the accident immediately to his/her supervisor and to the proper law enforcement agency. The employee must immediately complete an accident report, no matter how minor the damage is to the vehicle or equipment and submit to his/her supervisor and to the Human Resources Division. The sections entitled Drug and Alcohol Policy for DOT Employees and Drug and Alcohol Use Policy may require alcohol and drug testing following an accident.

Drivers must obey all traffic rules and regulations prescribed by law and use every reasonable safety measure to prevent accidents. No one under the age of 17 may operate a City vehicle. Wearing of seat belts is mandatory.

Any traffic fines imposed upon a City employee while operating a City vehicle will be the personal responsibility of the employee and not the City. Any employee involved in any type of accident involving City equipment may be disciplined if, upon investigation, it is determined that the employee was negligent or through carelessness or recklessness contributed to the cause of the accident.

See the section entitled Employee Safety for further guidance.
ADMINISTRATIVE LEAVE

The City may grant administrative leave with pay to an employee, as a matter of discretion by the City Manager or Assistant City Manager following a recommendation by the employee’s Department Head, when no other paid leave category is available or applicable and leave without pay would not be appropriate. The City Manager may also authorize administrative leave without pay. This policy should be read in conjunction with the City’s Unpaid Leave and Separations Policies.

Administrative leave granted to an employee will be put in writing and forwarded to the Human Resource Division for proper payroll processing and placement in the employee’s personnel file.
AMENDMENT OF POLICIES

Amendments to the Employee Policies & Procedures Handbook must be approved by ordinance. The City Council makes all personnel policies while the City Manager is responsible for the implementation of the policies.
AMERICANS WITH DISABILITIES ACT

To ensure compliance with the Americans with Disabilities Act and Americans with Disabilities Act as Amended (ADAAA), the City offers equal employment opportunity to qualified individuals and strictly prohibits discrimination against qualified individuals on the basis of disability. Any employee seeking a reasonable accommodation for a disability that affects the employee’s ability to perform the essential functions of the position shall make either a verbal or written request. Any verbal request for a reasonable accommodation must be followed by a written application on a form provided by the Human Resources Division.

The City will provide a reasonable accommodation to the known physical or mental impairments of an otherwise qualified individual with a disability if such reasonable accommodation will enable the individual to perform the essential functions of the position at issue. The City will not deny employment opportunities on the basis of the need to provide reasonable accommodation to the individual’s physical or mental impairments, unless it would cause an undue hardship to the City, or constitute a threat to the safety of the disabled person or other persons.

Employees who have a complaint involving potential violations of the Americans with Disabilities Act or ADAAA, including but not limited to harassment, discrimination, or failure to provide a reasonable accommodation, must immediately report such complaint as outlined in the City’s Sexual and Other Unlawful Harassment Policy which is contained in the Employee Policies & Procedures Handbook.
APPLICATION OF POLICIES

The Employee Policies & Procedures Handbook shall apply consistently and uniformly to all City employees, provided that the provisions may be varied in the case of an employee with a written employment agreement approved by the City Council. All employees must become familiar with and abide by these policies. The City reserves the right to revise or rescind any policy at any time. The City also reserves the right to make final decisions as to the interpretation and intent of all information contained in the Employee Policies & Procedures Handbook.

The City Council reserves the rights to interpret, change, suspend, or cancel, without notice, all or any part of these policies, procedures or benefits discussed herein.
ATTENDANCE AND WORK HOURS

A. Regular Work Hours – Non-exempt employees of the City normally work 40 hours in a seven-day work week. Exempt employees may be required to work in excess of 40 hours in certain weeks and are required to work a minimum of 80 hours in a two week pay period. The work week begins at 12:01 a.m. on Monday and ends at 12:00 (midnight) on Sunday. The regular workday normally begins at 8:00 a.m. and ends at 5:00 p.m. although employees in some departments may have different work hours. (For example, most non-exempt police officers work a 12-hour shift.) In times of disaster or emergency, work hours shall be determined by the City Manager.

B. Adjustment to Work Hours - In order to assure the continuity of City services, it may be necessary for Department Directors to establish other operating hours for their departments. Work hours and work shifts must be arranged to provide continuous service to the public. Employees are expected to cooperate when asked to work overtime or a different schedule. Acceptance of work with the City includes the employee’s acknowledgement that changing shifts or work schedules may be required and includes that he/she will be available to do such work. If an employee works a schedule that is different than the standard eight-hour work day (excluding police officers in the Patrol Division who work shifts), that schedule must be submitted in writing to the Department Director for consideration. Upon Department Director consideration, the request is forwarded to the City Manager for approval on a case-by-case basis focusing on providing enhanced service to the customers. A copy of the approved schedule must be forwarded to the Human Resources Division to be placed in the employee’s personnel file.

C. Meal Periods - Full-time employees (excluding most non-exempt police officers) are normally provided a one-hour unpaid meal break near the middle of the work day. Meal periods may be staggered by the Department Director in order to minimize departmental interruption. Supervisors will provide employees with the starting and ending times for their specific meal periods. Employees will be relieved from work responsibilities during unpaid meal breaks. Employees may not extend meal breaks beyond their assigned period.

D. Breaks - Employees who work a minimum of eight hours per day may, depending on individual departmental work schedules and at the discretion of their supervisor, take up to two fifteen minute paid breaks each day, one during the first part of the work day and the other during the latter part of the work day. Part-time employees who work a minimum of four hours per day may, depending on individual departmental work schedules and at the discretion of their supervisor, take one fifteen minute paid break each day.

E. Attendance

1. Attendance Records - Employees are expected to be at their workstations and ready to work at their scheduled start time. All employees are required to record the number of hours worked each day.

2. Attendance and Punctuality - To maintain a safe and productive work environment, the City expects employees to be reliable and punctual in reporting to work. Absenteeism and
tardiness are disruptive and place a burden on the City and on coworkers. Either may lead to disciplinary action, up to and including termination of employment. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, the employee must notify his/her supervisor (or designee) as soon as possible in advance of the anticipated tardiness or absence in accordance with Departmental procedures. The employee must disclose to his/her supervisor the reason for the absence or tardiness and the date and time of his/her anticipated arrival. For absences of a day or more the employee must notify his/her supervisor (or designee) on each day of his/her absence unless the supervisor expressly waives this requirement. The requirement of the employee to notify his/her supervisor (or designee) may only be waived in a situation deemed to be a medical emergency or in a situation where the employee is physically unable to give such notification. The supervisor is required to submit documentation of such a waiver to the Human Resources Division to be included in the employee’s personnel file.

In most instances, an employee who fails to properly notify his/her supervisor in advance of an absence or tardy will be subject to disciplinary action up to and including termination of employment. An employee who fails to notify the City of an absence of five days or more will have voluntarily resigned his/her employment.

F. Absent From Work in excess of 180 Days – Any employee who is absent from work on a leave of absence for a period of 180 calendar days, regardless of the reason, and is unable to return to work after 180 calendar days will be terminated. See the Unpaid Leave of Absence Policy. This policy will be administered consistently with the City’s obligations under the Americans with Disabilities Act and USERRA.

Also see the section entitled Separations, paragraph (C) (2).
AT-WILL EMPLOYMENT

Employment with the City is for no fixed or definite term. All employment by the City has been and continues to be at-will, except for those positions that may have a written contract approved by the City Council. That means that both the employee and/or the City have the right to terminate employment at any time, with or without notice, and with or without cause. This Employee Policies & Procedures Handbook does not constitute a contract of employment. Nothing in this handbook is intended to alter the continuing at-will status of employment with the City.

Although adherence to these polices is considered a condition of continued employment, nothing in these policies alters an employee’s status and shall not constitute nor be deemed a contract or promise of employment. Employees remain free to resign their employment at any time for any or no reason, without notice, and the City retains the right to terminate any employee at any time, for any or no reason.
CELL PHONE USE IN THE WORKPLACE

The City recognizes that many employees have cell phones that they bring to work. Cell phones may belong to the employee or be provided for the employee’s use by the City. The use of cell phones, including those with a camera, at work must not interfere with job duties or performance. Employees must not allow cell phone use to become disruptive or interfere with their own or a coworker’s ability to do their jobs. Employees who use cell phones to violate City policy, including the City’s Sexual and Other Unlawful Harassment Policy, will be subject to disciplinary action, up to and including termination.

Employees with City-issued cell phones are allowed to use City cell phones for personal phone calls but must reimburse the City for all personal use.

Use of personal cell phones while operating City vehicles or equipment is prohibited.

For more guidance regarding the proper use of wireless telecommunication equipment, please see the City of Hutto Administrative Policy Number AP-F-08-29-05.
CITY PROPERTY/EQUIPMENT USE

The City attempts to provide employees with adequate tools, equipment, vehicles and facilities for the City job being performed, and the City requires all employees to observe safe work practices and lawful, careful and courteous operation of vehicles and equipment. Any City-provided safety equipment must be used at all times.

From time to time, the City may issue various pieces of equipment or other property to employees, e.g., credit cards, keys, tools, security passes, manuals, written materials, telephone cards, uniforms, mobile telephones, computers, and computer-related equipment. Employees are responsible for items formally issued to them by the City, as well as for items otherwise in their possession or control or used by them in the performance of their duties. At the time of issuance, employees may be required to sign certain forms or other documentation evidencing their receipt of property and/or equipment and authorizing a payroll deduction for the cost of lost, damaged, or unreturned items. In addition to payroll deductions, the City may take any other action it deems appropriate or necessary to recover and/or protect its property.

Employees must notify their supervisor immediately if any vehicle, equipment, machine, tool, etc. appears to be damaged or defective, or is in need of maintenance or repair. The appropriate supervisor can answer questions about an employee’s responsibility for maintenance and care of equipment used on the job. The improper, careless, negligent, destructive, or unsafe use or operation of equipment will likely result in disciplinary action, up to and including termination of employment.

A. Personal Use Prohibited - City property, materials, supplies, tools, equipment or vehicles may not be used for personal business.

B. Tobacco Use Prohibited - The use of all tobacco products (including smokeless) is prohibited while operating and/or being a passenger in City owned vehicles and/or equipment.

C. Vehicle Allowance - An employee may be given a monthly allowance for consistently using such employee’s own vehicle for City business if the use is deemed necessary by the City Manager. The amount of the allowance shall be determined by the City Manager.

D. Take Home Vehicles - A City vehicle may be assigned to a position or employee when it is more economical than payment of a car allowance or mileage reimbursement. To be eligible for assignment of a take-home vehicle, an employee must be subject to emergency call back during off duty hours to locations other than the employee’s normal work station. No personal use of a take-home vehicle is permitted except to commute to and from home or work. A City vehicle is not to be used for personal business such as going to the bank, grocery store, etc. without prior written approval of the Department Director. No passengers may be transported in take-home vehicles except as required by official duties. No alcoholic beverages are allowed in City vehicles. As indicated in the Drug & Alcohol Use Policy, Police Department employees may be required to be in possession of alcohol and/or drugs in carrying out their job duties. Such employees will be exempted from certain portions of this policy under certain limited conditions. Additional guidelines may be established by Police Department operating procedures.
If approved by the City Manager, use of a City owned vehicle may be authorized and exempt from this policy if included in the offer of employment letter.

The City’s vehicles are classified as either “exempt” or “non-exempt” as prescribed by law. Employees to whom a “non-exempt” vehicle is assigned for take-home will likely incur a federal income tax liability for the fringe benefit of commuting to and from work. Most pickups, vans and automobiles are classified as “non-exempt” vehicles. Police vehicles used by employees on call 24-hours are normally exempt from the fringe benefit tax liability.

E. Use of City Vehicles - City-owned or leased vehicles may only be used for official City business. City owned or leased vehicles may only be driven by authorized City employees. If an employee drives his/her own, or a City-owned, rented or leased vehicle on the job or while carrying out City-related business, the employee must comply with the following:

1. Drivers must have a valid State of Texas driver’s license appropriate for the vehicle operated, must maintain a satisfactory driving record, and must inform their supervisor of any change in status.

2. Always observe all posted laws and speed limits and comply with all motor vehicle laws and regulations.

3. Always wear seat belts when the vehicle is in operation.

4. No passengers other than City employees or others on City business may ride in a City vehicle unless otherwise approved in advance by the Department Director.

5. All maintenance and use records for City vehicles must be completed as directed by the employee’s supervisor.

6. Report any broken, missing, or worn parts, tires, etc., or any needed maintenance of City vehicles to the appropriate supervisor immediately.

7. All drivers must be eligible for coverage under the City’s insurance policy.

8. Drivers covered by Department of Transportation regulations must comply with them at all times.

9. At no time may an employee under the influence of alcohol or illegal drugs drive a City vehicle or a personal vehicle while conducting City business.

10. Employees involved in an accident while operating a City vehicle, or while operating a personal vehicle on City business, must immediately notify the proper law enforcement agency (if applicable) and the appropriate Supervisor, Department Director, and/or City Manager. Accident reports, along with any law enforcement report, must be filed by the employee with the Department Director and the Human Resources Division.
11. Employees whose job duties require driving either a City vehicle or a personal vehicle as a job function must maintain the driver’s license required for performance of the employee’s duties and must maintain a satisfactory driving record. If an employee has three moving violations within a two-year period or is convicted of, pleads guilty or nolo contendere to, or accepts deferred adjudication for a DWI or DUI offense at any time, this will be considered a failure to maintain a satisfactory driving record. Failure to maintain a required driver’s license or failure to maintain a satisfactory driving record will result in discipline up to and including termination of employment.

12. The City may, at any time, check the driving record of a City employee who drives as part of his/her job duties to determine that he/she maintains the necessary qualifications as a City driver. Employees agree that they will cooperate in giving the City whatever authorization is required for this purpose.

The above is not a complete and exhaustive list of vehicle use policies. Violations of any of the specific items listed, as well as the improper, careless, negligent, destructive, or unsafe use or operation of a vehicle, may result in disciplinary action, up to and including termination of employment. Please see paragraph G under Employee Conduct and Work Rules/Disciplinary Action requiring employees to immediately notify their supervisor regarding violations of law.

**F. Personal Property** - All employees shall be solely responsible for their personal property at all times.
CLASSIFICATION & PAY PLAN

All employees in the classified service shall be included by position in the Classification & Pay Plan.

Each position shall be categorized by letter number based on similar or comparable responsibilities, duties, type of work and required qualifications.

The Classification & Pay Plan may be revised from time to time as changing circumstances and conditions require and upon recommendation by the City Manager and approval by the City Council. Such revisions may consist of the addition, deletion, abolishment, consolidation, division or amendment of existing positions.

Incentive pay, such as certification pay or educational incentives, may be awarded to employees to compensate employees who obtain special licensing or who have achieved educational goals that are required for their position and ultimately benefit the City. Incentive pay will be addressed as part of the annual budget process and must be approved by the City Council.
CLASSIFICATION & COMPENSATION ADMINISTRATION

A. Purpose

These procedures for classification and compensation administration have been prepared for the City of Hutto in order to organize and encourage fair and orderly decision making for personnel matters.

Specific objectives of the classification and compensation plan are to:

1. Properly determine the duties, responsibilities, and necessary qualifications for each position with the City.
2. Assist employees and job applicants in understanding each job and the relationships between and among jobs.
3. Place positions into pay groups with other positions that should be similarly compensated.
4. Provide an organized system of pay groups and ranges to be used to (1) assure equity across departmental lines, and (2) reward employees for performance through pay for performance; and
5. Establish procedures for administering and updating the plan.

B. Definitions

For the purpose of classification and compensation administration, definitions are as follows:

1. A position is an organizational slot consisting of a group of duties or responsibilities requiring the full-time or part-time employment of one person.
2. A job description is a written description of the duties, responsibilities, reporting relationships and requirements for the position.
3. A classification plan is a system used to group positions according to duties and responsibilities; education, knowledge, skills, ability and experience. The objectives are to (1) recruit and retain employees, and (2) provide salary administration guidelines.
4. A reclassification of a position is a reassignment of a position to a different (lower, higher, or equivalent) pay group or job title, based on an evaluation of the current duties and responsibilities of the position. Such changes are made necessary by the reorganization of a department, the assignment of new duties to certain positions, or changes of work responsibilities or market data.
5. A compensation plan is a system that assigns dollar values to each position, groups positions into pay groups, arrays pay groups on a pay schedule showing salary and
wage ranges for each group, and sets forth procedures for administering the pay schedule.

6. A *general government employee* is any employee of the City, excluding the City Manager and sworn police employees. For purposes of this policy, the Chief of Police is classified as a general government employee.

7. A *sworn-police employee* is any certified peace officer. For purposes of this policy, the Chief of Police is not classified as a sworn-police employee.

**C. Types of Positions**

1. **Classified Position:** A classified position is an authorized and budgeted full-time position that is assigned to a pay group of the city’s compensation plan.

2. **Unclassified (Special) Position:** An unclassified position is an authorized and budgeted position for which the pay is set by individual determination. Unclassified positions for the city are (1) positions funded from non-city funds, (2) position(s) for which the terms and conditions of employment are set out in a contract, and (3) hourly, part-time, or seasonal positions which should not be placed in a regular classified position.

**D. Classification and Compensation Administration**

1. **Availability of Funds:** All of the following procedures are subject to each department having funds available within its budget. If funds are not available, a budget amendment or transfer is required to be approved by the City Council.

2. **Hiring:** New employees are typically hired between the entry and mid-point or step 4, depending on department, in the appropriate pay group without specific written approval from the City Manager. The City Manager’s approval to hire above the mid-point or step 4 will be conditioned upon the following:
   a. The prospective employee’s qualifications and/or level of experience requirements posted for the position or the labor market value has been determined to be higher than mid-point or step 4 of the pay group;
   b. Hiring above the mid-point or step 4 will not disrupt current internal salary relationships;
   c. Funds are available in the City’s and the department’s personnel budget to finance the higher pay rate for the remainder of the fiscal year; and
   d. The action is in the best interest of the City.
The department director must submit justification based on the above criteria to the Director of Human Resources who, after careful review, submits a recommendation to the City Manager.

3. **Hiring at a Lower Pay Group:** A new employee, or existing employee being considered for promotion, whose qualifications or experience do not meet the requirements of the position, may be placed at the pay group below the position. An employee will be advanced to the proper pay group after proper qualifications and/or experience are obtained. Typically, an employee is not held in a lower pay group for more than six months.

4. **Performance-Based Increases – All General Government Employees:** A performance-based increase is advancement to a higher salary within the range of the pay group and is granted to recognize performance in the position. A performance-based increase cannot increase an employee’s salary beyond the maximum of the range of the pay group of the position. In the event that an employee is at the maximum of the range, a lump sum payment will be made in lieu of a salary increase. The lump sum payment will be equal to the annual amount (excluding overtime) of the salary increase that the employee would have received had they not been at the maximum of their range. Performance-based increases are not used to recognize increased duties and responsibilities (a promotion) and should be granted without regard to cost-of-living factors. Performance-based increases recognize performance and thus will be granted in conjunction with the employee’s annual performance evaluation. In order to receive an annual performance evaluation, employees must have at least six months of service. The evaluation period is based on performance during the fiscal year. Increases will be effective the first pay period of the calendar year. Performance-based increases are made only if funds are budgeted for and approved by the City Council. Employees will not receive catch-up increases to compensate for any year(s) in which funds for performance-based increases are not approved in the budget.

5. **Performance-Based Increases – Sworn-Police Employees (Reference General Order 4.1, Sections VI and VII):** A performance-based increase is advancement to the next step of the pay group and is granted to recognize performance in the position. If an employee is currently at the top step of the pay group for their position, the employee will not be eligible for an increase. The employee will remain frozen at the top step of the pay group unless an adjustment is made to the step plan based on a cost of living or market adjustment or if the employee promotes to a new pay group. Performance-based increases recognize performance and thus will be granted in conjunction with the employee’s annual performance evaluation. In order to receive
an annual performance evaluation, employees must have at least six months of service. The evaluation period is based on performance during the fiscal year. Movement to the next step will take effect the first pay period of the calendar year, only if the employee has completed one full year of service by the end of the evaluation period. Performance-based increases are made only if funds are budgeted for and approved by the City Council. Employees will not receive catch-up increases (movement past more than one step) to compensate for any year(s) in which funds for performance-based increases are not approved in the budget.

6. **Promotion:** A promotion is a change in the duty assignment of an employee from their current position to another position in a higher pay group. A promotion recognizes advancement to a higher position requiring higher qualifications and involving greater responsibility. A typical promotional increase is five percent or movement to the entry of the new pay group, whichever is higher. In the event that a non-exempt employee transfers to exempt status (no longer eligible for overtime), the employee will receive a twelve percent increase or move to the entry of the new pay group, whichever is higher. (For exceptions involving marginally qualified current employees, see prior section on “Hiring at a Lower Pay Group”).

For police positions, a promotional increase will be movement to the entry step of the new pay group.

7. **Demotion:** A demotion is a change in duty assignment of an employee from their current position to another position in a lower pay group. Demotions may be made for the purpose of voluntary assumption of a less responsible position as a result of a reclassification of the employee’s position or as a disciplinary measure due to unsatisfactory performance in a higher position. An employee who is demoted normally will have his or her pay reduced to a rate at least five percent below the rate received before demotion. Demotions are made on the recommendation of the employee’s department director with the concurrence of the Director of Human Resources and the City Manager.

8. **Lateral Transfer:** A lateral transfer is the movement of an employee between positions in the same pay group within the City workforce. Lateral transfers may be made within the same department or between departments. Lateral transfers may be requested by the employee or by the department head to whose department the employee will be transferred and must be approved by the Director of Human Resources and the City Manager. An employee who makes a lateral transfer will retain the same effective employment date and all accrued vacation and sick leave.
9. **Reclassification of Positions:** A reclassification is a reassignment of a position to a lower, higher, or different pay group or job title based on current duties and responsibilities of the position. An employee whose position is reclassified upward does not automatically receive a pay increase unless an increase occurs to place the employee at the entry of the pay range. Reclassifications are recommended by the Human Resource Department and approved and implemented by the City Manager within budget limitations.

10. **Revised Job Descriptions:** A revised job description is one which includes additions to, deletions from, or amendments to current duties and responsibilities, but does not change the job so substantially as to require a reclassification or creation of a new job title and job description. (See the section on “Development of a Job Description” for the process to be followed to create a new job description).

11. **Cost-of-Living Adjustment to Pay Schedules:** The City of Hutto has a pay schedule with open ranges (an entry, mid-point, and maximum) for general government employees and step pay schedules for sworn-police employees.

   Overall increases or decreases to the pay schedule are authorized only upon approval by the City Council. When a cost-of-living increase has been approved in the budget, every number on each pay schedule is adjusted by the percentage increase authorized. Cost-of-living adjustments will be based on the (1) percentage change of the Consumer Price Index (CPI) and the Employee Cost Index (ECI) and (2) market data from benchmark cities.

**E. Maintenance of the Compensation Plan**

On an annual basis, the Director of Human Resources will review the classification and compensations plans and may recommend changes.

The review and, where appropriate, recommendations will include:

- Reclassification of positions to lower, higher, or different pay groups based on changes in the duties and responsibilities of the position or if changes in the market render the original placement of a position obsolete;

- Percentage changes in the entire pay schedule, to adjust pay rates to be comparable with other organizations in the market or to recognize changes in the cost of living; and
• The continuing validity of the procedures for classification and pay administration.

Any major departmental reorganizations or changes affecting jobs within a department should be addressed during the preparation of the department’s annual budget. Changes will become effective at the beginning of the next fiscal year.

F. Development of a Job Description

It will become necessary to develop new job descriptions when:

• A new position is created;

• A current position is divided into two positions, or two positions are combined into one; or

• A job description no longer accurately reflects the actual duties and responsibilities of a position.

To develop a job description, a present employee and his or her supervisor should describe the new job by completing a Job Data Collection Form (JDCF). In the event that a new position has been created and there is no incumbent in the position, the supervisor should complete the JDCF. The information from the JDCF should be used by the Director of Human Resources to write the new job description using the current job description format. The new description then should be reviewed by the appropriate department director. Any new positions created should be included in the annual budget process.
CLASSIFIED AND UNCLASSIFIED SERVICE

All offices and positions of the City shall be divided into classified and unclassified service.

The unclassified service shall include all officials and members of citizen boards, councils and commissions, the City Manager, volunteer personnel and personnel appointed to serve without pay, consultants and counsel rendering temporary professional service, those positions involving seasonal employment, reserve personnel and other unclassified positions that are identified in the Classification & Pay Plan.

The classified service shall include all other full-time positions in the City service that are not specifically placed in the unclassified service by this policy.
COMPENSATION PLAN

The Total Rewards System (TRS) is a compensation plan developed specifically for the City of Hutto. TRS was developed through an inclusive process utilizing employee focus groups to create a compensation and evaluation process based on Accomplishments, Credentials, Enthusiasm, and Service (ACES).

A market study was conducted in 2008 to compare Hutto salaries with other like cities.

—A. Pay Grade — Each position is assigned a Pay Grade based on the individual job factors related to each position. Points are assigned based on characteristics of the position including: formal education, experience, skills, supervision, responsibilities for results, creativity/process improvement, organizational impact, customer service, physical demands, and work environment. Pay grades are listed as “A-O.” Pay grades “N” and “O” are unclassified positions, which are positions appointed by the City Council.

“Market Level” is defined as the 50% level of each pay grade. The City desires to provide competitive wages in order to attract and retain high performing individuals that provide outstanding service.

—B. Market Adjustments — The Pay Grade was established by comparing existing City of Hutto positions with like cities known as the “Benchmark Cities” which have similar growth patterns, locations, and other characteristics that made them similar to Hutto.

The City will conduct a “Market Update” by comparing key positions with other positions in the benchmark cities every three years (at a minimum). The City Manager will recommend pay grade adjustments to the City Council based on differences between the current pay grades and the Market Update results. Pay grade adjustments do not automatically result in market pay increases. The City Manager will present market pay adjustment recommendations to the City Council each year through the budget process.

—C. New Hires — Vacant positions will be advertised as an average between the 0-25% and 25%-50% levels of the pay grade. New hires will typically be hired at the 25% level of the pay grade. Employees may be hired at a higher pay than entry level pay, based upon qualifications, and job related experience, if the City Manager approves employment at the higher pay.

—D. Merit Adjustments — The Total Rewards System uses the “ACES” tool to regularly provide performance feedback to employees. ACES was developed based on employee input and provides evaluation based on employee accomplishments, credentials, enthusiasm, and service. Merit adjustments are based on a matrix developed in conjunction with the ACES tool. The matrix takes into consideration the individual’s score on their performance evaluation, their pay grade, and their location within their pay grade.

Merit adjustments are based on the “Target” which is the average of the past 3 years Consumer Price Index + 1 (CPI+1). The City Council may amend the Target value through the annual budget process.
COMPENSATORY TIME

The City Manager may, on a case-by-case basis, grant compensatory time to employees in lieu of overtime payment for irregular or occasional overtime work that is not part of an employee’s regularly scheduled workweek.

Employees and their supervisors shall strive to flex an employee’s work schedule to minimize hours worked in a work week in excess of 40 hours (see “Flex-time Work Schedule”).

A. Non-Exempt Employees are entitled to compensatory time in accordance with Section 207 of the Fair Labor Standards Act of 1938. Employees, at the City Manager’s discretion, may grant compensatory time at a rate not less than one and one-half hours for each hour of employment for which overtime compensation would have been earned.

B. Accrual Rates - Compensatory time will be earned at a rate of one and one-half hours for each hour of employment for which overtime compensation would have been required.

   1) The employee may accrue no more than 80 hours of compensatory time for hours worked.
   2) The City Manager may grant additional compensatory time not addressed in this policy at his discretion.

C. Use of Compensatory Time - An employee who has accrued compensatory time and requests use of the time shall be permitted to use the time off within a “reasonable period” of time after making the request if it does not unduly disrupt departmental operations and has prior supervisory approval. Employees will be required to submit a “Leave Request” in order to use any accrued time.

A supervisor may require an employee to use accrued compensatory time. In addition, the City may pay out accrued compensatory time at any time.

D. Expiration and Pay for Compensatory Time

   1) Expiration - Compensatory time shall expire on September 30\textsuperscript{th} of each year. Employees shall be permitted by the employee’s supervisor to use such time within a reasonable period after making the request so long as the compensatory time does not unduly disrupt the operations of the city. Any unused compensatory time will be paid out to the employee on September 30\textsuperscript{th} of each year.

The City Manager, on a case-by-case basis, may grant an extension or one-time payment of unused compensatory time if an employee is prevented from using earned time.

   2) Pay Out - Employees who leave employment with the city shall be paid for any unused compensatory time at a rate of compensation not less than:
a) The average regular rate received by such employee during the last 3 years of the employee’s employment, or the final regular rate received by such employee, whichever is higher.

b) Compensatory time will be reviewed at the time of a promotion. When being promoted to an exempt position, the compensatory bank will be paid-out at the employee’s rate of pay prior to the promotion.
COMPLAINT RESOLUTION

This Complaint Resolution Procedure is available to an employee who is the subject of a disciplinary action involving a suspension of one day (or one shift) or more or a demotion or to an employee who is complaining about an alleged improper interpretation and/or application of City or departmental policies, procedures, or practices. The City encourages all employees to attempt to resolve complaints informally through discussions with the employee’s immediate supervisor.

If an employee is unable to resolve a complaint subject to this policy with his or her immediate supervisor, the employee may submit a written complaint to the employee’s Department Director. A written complaint to a Department Director must be made within 30 days of the event or action complained of.

If an employee’s complaint is not resolved to his or her satisfaction within 10 days of filing a written complaint with the Department Director, the employee may present his/her written complaint to the Human Resources Division, who will forward the written complaint to the City Manager.

The decision of the City Manager may be conveyed to the employee orally or in writing and is final.
CONFIDENTIALITY OF MEDICAL INFORMATION

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

Examples of information that may be provided to the City by an employee’s health care provider, and maintained in the confidential medical file, include:

- a note to justify an absence;
- a note to request a leave;
- a note to verify the employee’s ability to return to work;
- medical records to support a claim for sick pay or disability benefits;
- insurance records; and
- workers’ compensation records.

It is important that employees understand that the records are confidential but that the confidentiality may be waived when the employee provides medical information to his/her supervisor or the Human Resources Division. When an employee provides information to his/her supervisor, the supervisor is expected to share the information only on an “as needed” basis to other members of management.

In addition to protecting their own confidential medical information, employees must also respect the privacy and confidentiality of their coworkers’ medical information. Employees are expected to use discretion and judgment when dealing with such information and are to refrain from passing along information, gossip, rumors or anything else that may constitute an invasion of a coworker’s privacy or breach of confidence.
CONFLICT OF INTEREST

No employee of the City may:

- Have any financial or other interest, directly or indirectly, in any proposed or existing contract, purchase, work, sale or service to, for, with or by the City;

- Use City employment, authority, or influence in any manner for his/her personal betterment, financial or otherwise;

- Have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or services;

- Have discussions or participate in decisions of any City agency, board, commission or instrumentality if the employee has any personal economic interest or is employed, directly or indirectly, by the person or entity that is the subject of the discussion or decision;

- Accept other employment or engage in outside activities incompatible with the performance of duties and responsibilities as a City employee or that might impair independent judgment in the performance of duties to the City. For additional information regarding outside employment, refer to the Outside Employment section of this Handbook; or

- Accept remuneration or provide services for compensation, directly or indirectly, to a person or organization requesting an approval, investigation, or determination from the City.

An employee may not knowingly participate in a decision of any matter involving a business entity or real property with which he/she has substantial interest, if the decision on the matter will have a special economic effect on the business entity or real property which is distinguishable from the general public. A “substantial interest in a business entity” is defined as an employee owning 10% or more of the voting stocks or shares of the business entity, the employee owns either 10% or more or $15,000 or more of the fair market value of the business entity or the funds received by the employee exceeds 10% of the employees gross income for the previous year. A “substantial interest in real property” is defined as an employee owning $2,500 or more in real property and/or if a person related to the employee in the first degree has a substantial interest.

Violations of this policy may result in disciplinary action up to and including termination of employment. Employees should direct questions regarding the prohibitions imposed by this policy to your Department Director, the Human Resources Division, or the City Manager’s office.

For additional guidance regarding ethics, see Section 13.03 of the Home Rule Charter.
CORE VALUES

The City of Hutto, Texas embraces these core values:

**Fairness** – Consistent just treatment while allowing for due consideration of unique circumstances.

**Role Modeling/Mentoring** – Provide leadership that develops individuals who understand the decision-making processes which inspire achievement and growth.

**Open Communication** – The authority and responsibility of individual employees to identify issues and propose actions up, down and parallel within the organizational structure.

**Service Minded** – Commitment to long-term success through a willingness to sacrifice for the public good through achievement of organizational goals.

**Trust** – Trust must be valued, earned and demonstrated at all levels of the organization every day.
DRESS, APPEARANCE AND UNIFORMS

Employees must, at all times, dress appropriately and professionally and present a clean and neat appearance while at work and while representing the City or conducting City business. The City allows business casual dress in the work place year-round, in accordance with this policy. This policy applies to all employees except those who are required to wear uniforms. Department Directors are strongly encouraged to allow their employees to participate in business casual dress, as practical. Department Directors and supervisors are responsible for enforcing this policy in their respective departments in order to maintain acceptable dress and appearance.

Professional business attire or a required uniform is to be worn when there is a need to present a more formal professional appearance for meetings or special events. Clean and presentable attire that is typical for the job function (i.e. suits or dresses for the City Manager’s Office, polo with city logo and slacks for Parks & Recreation) are proper attire for personnel scheduled for City Council meetings, receptions, etc., unless otherwise directed by the City Manager for the occasion.

Employees must remember that they are professional 100% of the time and are dressing for business, not for pleasure. All clothing must be clean, neatly pressed and in good repair and appropriate to the work setting. Attire must always reflect a professional business attitude and presence. Provocative, suggestive articles or other inappropriate dress are not allowed in the workplace. When there is a question on whether or not an item of clothing is prohibited, please err in favor of being conservative and assume that it is not acceptable attire.

The City Manager may designate a specific day in which casual attire may be worn. However, it is at the City Manager’s discretion and the attire worn on “casual days” should still reflect an appropriate professional appearance. Department Directors may occasionally allow employees to wear casual attire if a specific work assignment dictates that casual attire is appropriate and to ensure the safety of an employee.

A. Standards for Business Casual Work Attire

- Jeans, T-shirts and athletic shoes are not acceptable during normal work hours unless a special day is declared by City management or as specifically approved by the appropriate Department Director as work assignment dictates.
- Sweatshirts, sweat pants and hoodies of any type are not acceptable unless a special casual wear or festive occasion is declared by City management.
- Shorts shall not be worn unless they are part of a City Department’s approved uniform and worn with a shirt that identifies them as an employee of a particular City Department or Division or approved by the Department Director as special circumstances warrant.
● **Women**: Camisoles or t-tops are required to be worn with low cut blouses/tops. Clothing with thin or spaghetti straps or tank tops need to be worn with an acceptable jacket. Skirts and dresses shall be worn no shorter than 2 inches above the top of the knee. Ankle length and Capri dress slacks are appropriate. Dress shoes or dress sandals are appropriate. No more than 3 earrings in each ear may be worn, provided the earrings are not unprofessional in appearance.

● **Men**: Knit shirts with collar, banded collar shirts, short sleeve or long sleeve dress shirts without a tie are acceptable. All shirts are to be tucked in unless specifically designed to be worn outside trousers. Dress shoes, boots or loafers are acceptable footwear. No more than 3 earrings in each ear may be worn, provided the earrings are not unprofessional in appearance. Men are not to wear earrings at Council presentations or formal city events.

### B. Examples of Inappropriate Attire

The following are always inappropriate for the work place:

- Provocative or revealing attire including low cut, bare backs, midriffs, body-hugging, see-through garments, or excessively loose or tight fabrics;
- Bare shoulders and tube tops;
- Stirrup pants, spandex pants, casual cargo pants, leggings, form fitting or tight slacks/trousers;
- Clothing with unclear or obscene messages or that endorses alcohol, tobacco products, drugs, pornography, or offensive material of any kind;
- Unpressed, soiled, ripped and tattered clothing;
- Visible tattoos which could be deemed offensive;
- Nose rings, eyebrow rings, tongue studs, lip piercings, gauge piercings, or similar type facial jewelry.

### C. Jewelry - All jewelry worn by employees must be appropriate so it does not detract from a professional appearance or conflict with department uniform guidelines.
D. Hair and Facial Hair – Hair styles and hair colors must be appropriate to the employee’s position and extremes of any type are unacceptable. For example, green hair, Mohawk style haircuts, and severely spiked hair are not allowed. The length of hair must not pose a safety hazard for employees working around machinery and moving objects. Hair, including facial hair, must be clean and neatly groomed at all times.

E. Perfume and Cologne – While at work, employees should minimize the use of scented aftershaves, colognes, perfumes, and lotions as these products may impact the health of chemically-sensitive customers and other employees.

F. Personal Hygiene – It is necessary that all employees maintain a clean, presentable appearance. Personal hygiene includes a regular bath/shower, use of deodorant, and appropriate oral hygiene.

G. Uniforms – The City supplies many Police, Parks and Recreation, and Public Works personnel with appropriate uniforms. Employees in jobs that require a uniform will be told how and where the uniforms can be obtained. The City will provide replacement uniforms as necessary. Uniforms must be clean and neat. City-owned or authorized uniforms may not be used outside of work, for personal use or by any third party. City uniforms may be used by City employees in connection with outside employment only with the Department Director’s prior written authorization.

Employees who are provided with uniforms are required to wear their uniforms when on duty and keep them in good, clean and serviceable condition. No part of the uniform shall be worn by itself. An employee must wear the entire uniform when on duty. No part of the uniform shall be worn when off duty, except to and from work, unless in connection with outside employment with the Department Director’s authorization.

When an employee terminates, uniforms and any other City equipment which the employee possesses must be returned in good condition before final pay will be authorized. The cost of lost or damaged City property and unreturned uniforms will be deducted from the employee’s final pay check.

H. Employee Purchasing of City Logo Clothing – Employees who work primarily in offices are not eligible to receive uniforms. However, employees are permitted to purchase City logo apparel at their own expense and at the City’s contract price with selected vendors.

I. Exceptions – Employees having a conflict with any aspect of this policy, based on cultural or religious traditions or medical reasons, may request an exemption. The employee must place the request in writing to his/her Department Director. The Department Director and the Human Resources Division shall review the request and determine whether an exception will be granted.

J. Enforcement – Employees and supervisors are responsible for ensuring compliance with the City’s dress code standards. In all cases, the City will make the determination as to
acceptable dress, appearance and grooming. Employees should direct questions about appropriate appearance or dress to your supervisor, Department Director or the Human Resources Division.

Department Directors shall specify requirements for uniforms and other work attire. Departments may impose special dress and grooming requirements necessary for employee safety, including use of appropriate personal protective equipment, shoes and clothing.

Supervisors are responsible for ensuring that employees know, understand and adhere to this policy as well as any department specific dress policy. Managers and supervisors shall counsel employees’ whose dress, personal hygiene or grooming is inappropriate.

Each employee is expected to adhere to the clothing, uniform and personal appearance guidelines set forth in this policy. Each employee must use good judgment and common sense in selecting clothing that fits with the function of his/her position, while also promoting a professional image. In order to avoid bringing discredit to the City, employees shall exercise caution in their conduct when wearing uniforms or other apparel bearing the name or logo of the City of Hutto.

Employees in violation of this policy may be sent home. Under such circumstances, non-exempt employees will not be paid for work time missed, and exempt employees will be required to make up the work time missed. Employees whose grooming or personal appearance violates this policy may be disciplined, up to and including termination of employment.

The Department Director, with approval of the City Manager’s office, may make departmental exceptions to this policy when deemed necessary for business reasons or implement a more restrictive dress and appearance policy.
**Dress Guidelines**

<table>
<thead>
<tr>
<th></th>
<th><strong>Men</strong></th>
<th><strong>Women</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Appropriate</strong></td>
<td>• Knit shirts with collar and banded collars</td>
<td>• Camisoles or t-tops worn with low cut blouses/tops</td>
</tr>
<tr>
<td></td>
<td>• Short sleeve or long sleeve dress shirts</td>
<td>• Thin or spaghetti straps and tanks tops worn with jacket</td>
</tr>
<tr>
<td></td>
<td>• Dress shoes, boots and loafers</td>
<td>• Skirts and dresses no shorter than 2 inches above top of knee</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Ankle length and Capri dress slacks</td>
</tr>
<tr>
<td><strong>Inappropriate</strong></td>
<td>• Provocative or revealing attire</td>
<td>• Stirrup pants, spandex pants, casual cargo pants and leggings</td>
</tr>
<tr>
<td></td>
<td>• Excessively loose or tight fabrics</td>
<td>• Form fitting or tight slacks/trousers</td>
</tr>
<tr>
<td></td>
<td>• Bare shoulders</td>
<td>• Visible tattoos which could be deemed offensive.</td>
</tr>
<tr>
<td></td>
<td>• Clothing with unclear or obscene messages or that endorses alcohol,</td>
<td>• Unpressed, soiled, ripped and tattered clothing.</td>
</tr>
<tr>
<td></td>
<td>tobacco products, drugs, pornography, or offensive material of any</td>
<td></td>
</tr>
<tr>
<td></td>
<td>kind.</td>
<td></td>
</tr>
</tbody>
</table>

*Listing of inappropriate apparel is not intended to be exhaustive and all-inclusive and is provided to establish a guideline for what is acceptable in the work place.*
DRUG AND ALCOHOL POLICY FOR DOT EMPLOYEES

A. Employees/Applicants Subject To Testing – City employees who drive a commercial motor vehicle (CMV) requiring a Commercial Driver’s License (CDL) as part of their job duties are subject to alcohol and drug testing as required by the U.S. Department of Transportation (DOT) and the Federal Motor Carrier Safety Administration and as outlined in this policy. The employee’s supervisor or the Human Resources Division will advise the employee if he or she is subject to DOT testing and the terms of this policy. Employees who are not required by DOT to hold a CDL are not subject to this policy. Applicants for employment for a position requiring a CDL are also subject to testing under this policy.

Employees covered by this policy are also required to comply with the City’s Drug and Alcohol Use Policy. In other words, this DOT Drug and Alcohol Policy is in addition to, not in lieu of, the provisions of the City’s general Drug and Alcohol Use Policy. DOT tests will be completely separate from non-DOT tests in all respects. DOT tests take priority and will be conducted and completed before a non-DOT test is begun. All drug and alcohol testing performed under this DOT Policy will comply with applicable DOT procedures. If this policy conflicts with DOT regulations in any way, the DOT regulations will govern.

An employee subject to the provisions of this policy may be a person employed by the City, a contractor engaged by the City or an employee of such contractor. When applicable, refer to Attachment A for a listing of City positions currently subject to the testing provisions of this policy. The list of job titles on Attachment A may change as job responsibilities change or as new jobs are added to the City’s work force. Employees required by DOT to hold a CDL, due to the type of equipment they operate, are subject to this policy whether or not this list is immediately updated to include their job titles. Employees who hold these jobs are required to carry their CDLs when they are at work or are operating City equipment.

B. Prohibited Alcohol Use

1. On-duty and Pre-duty Use – Reporting for, or remaining on, duty requiring the performance of safety-sensitive functions is prohibited under the following conditions:

   - While having a breath alcohol concentration of 0.04 or more as indicated via breath test;
   - While using alcohol; or
   - Within 4 hours after using alcohol.

2. Use Following An Accident – An employee required to take a post-accident alcohol test pursuant to this policy is prohibited from using alcohol for 8 hours following the accident, or until undergoing a post-accident alcohol test, whichever occurs first.

C. Prohibited Drug Use – Illicit use of drugs by safety sensitive drivers is prohibited both on and off duty. An employee may not report for duty or remain on duty when he/she uses any controlled substances, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the employee that the substance will not adversely affect his/her
ability to safely operate a CMV. An employee may not report for duty, remain on duty or perform a safety sensitive function if the employee tests positive for controlled substances or has adulterated or substituted a test specimen.

D. Required Alcohol and Drug Tests – DOT requires the following testing for covered drivers: pre-employment, post-accident, random, reasonable suspicion, return-to-duty and follow-up testing. Before conducting any required DOT testing, the City will notify the driver that the alcohol or drug test is required by DOT regulations.

1. Pre-employment Testing – Drug and alcohol tests will be conducted after a conditional offer of employment is made, but before actually performing safety-sensitive functions for the first time. These tests are also required when employees are promoted, demoted or transferred into a safety sensitive driver position.

2. Post-accident Testing – Drug and alcohol tests will be conducted after accidents in which the driver’s performance could have contributed to the accident (as determined by a citation for a moving traffic violation) and for all fatal accidents even if the driver is not cited for a moving traffic violation. Post-accident testing must be conducted as soon as practicable on all surviving drivers following an occurrence involving a CMV operating on a public road in commerce, as follows:

- When the employee is issued a moving traffic violation citation and one or more of the vehicles involved is disabled and must be towed from the scene;
- When the employee is issued a moving traffic violation citation and any person involved in the accident is injured to the extent that he/she requires and receives immediate medical treatment away from the scene of the accident; or
- In an accident involving a fatality, testing will be performed on anyone who was performing safety sensitive functions with respect to the vehicle.

An employee subject to post-accident testing must remain readily available for such testing or will be deemed by the City to have refused to test. Nothing in this policy shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary medical care.

In post-accident situations, the City may substitute a blood or breath alcohol test for a urine drug test, so long as the test is performed by state or local law enforcement officials using procedures required by their jurisdictions, provided such test results are received directly from the local jurisdiction or the driver. A positive post-accident test administered by law enforcement will result in the same action as a positive post-accident test performed at the City’s behest.

a. Post-Accident Alcohol Testing – If alcohol testing cannot be administered within 2 hours of one of the above listed occurrences, a written statement explaining why the alcohol test was not promptly administered must be provided to the Human Resources Division by the
appropriate supervisor. If alcohol testing cannot be administered within 8 hours after the occurrence, the City will cease attempts to administer an alcohol test and document the reasons the alcohol test was not administered. This report must be promptly forwarded to the Human Resources Division.

b. Post Accident Drug Testing – A driver will be drug tested as soon as practicable but not later than 32 hours after one of the above listed occurrences. If the driver is not drug tested within 32 hours, the appropriate supervisor must prepare a report documenting the reason why and promptly forward the report to the Human Resources Division.

3. Reasonable Suspicion Testing – Reasonable suspicion drug and alcohol testing is conducted when a trained supervisor has reason to believe that an employee is in violation of this policy. The reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee; the observations may also include indications of the chronic and withdrawal effects of controlled substances. The supervisor must consult with the Department Director (or designee) and affirm the basis of his/her suspicion. If the Department Director concurs, he/she may order the employee to undergo testing only after consultation with the Human Resources Division. A written report of the reasonable suspicion observations must be prepared by the supervisor(s) who made the observation within 24 hours of the observed behavior or before the results of tests are released, whichever is earlier. This report must be promptly forwarded to the Human Resources Division.

a. Reasonable Suspicion Alcohol Testing – Reasonable suspicion alcohol testing is permitted only if the reasonable suspicion observation is made during, just before, or just after, the period of the work day the employee is required to be in compliance with this policy. An employee may be directed to undergo reasonable suspicion testing only while the employee is performing, just before he/she is to perform, or just after he/she stopped performing, safety sensitive functions. If alcohol testing cannot be administered within 2 hours after the reasonable suspicion observation, a written statement that explains why the alcohol test was not promptly administered must be given to the Human Resources Division. If alcohol testing cannot be administered within 8 hours after the observation, the City will cease attempts to administer an alcohol test and the appropriate supervisor must immediately document the reasons that the alcohol test was not administered; this report must be promptly forwarded to the Human Resources Division. Notwithstanding the absence of a reasonable suspicion alcohol test under this policy, an employee may not report for duty or remain on duty requiring the performance of safety sensitive functions while the employee is under the influence of or impaired by alcohol, as shown by the behavioral, speech and performance indicators of alcohol misuse. In such instances, the employee will not be permitted to perform or continue to perform safety sensitive functions until:

- An alcohol test measures the employee’s alcohol concentration at less than 0.02; or
- 24 hours have elapsed since the reasonable suspicion observation was made.
b. Reasonable Suspicion Drug Testing – A driver will be drug tested as soon as practicable but not later than 32 hours after the reasonable suspicion observation. If the driver is not drug tested within 32 hours, the appropriate supervisor must prepare a report documenting the reason why and promptly forward the report to the Human Resources Division.

4. Random Testing – Drivers are selected for random, unannounced drug and alcohol testing using a scientifically valid method, such as a random number table or a computer-based random number generator that is matched with the employee’s Social Security number, payroll identification number, or other comparable identifying numbers. Each driver subject to this policy will have an equal chance of being tested each time random selections are made. The number of drivers randomly selected will be in accordance with applicable DOT regulations. Each driver randomly selected for testing will be tested during the selection period. Dates and times for random testing are unannounced and spread reasonably throughout the calendar year. Each driver selected for random testing must proceed to the test site immediately after notification; if, however, the driver is performing a safety-sensitive function, other than driving a CMV, at the time of notification, the City will instead ensure that the driver ceases to perform the safety-sensitive function and proceeds to the testing site as soon as possible. A driver will be randomly tested for alcohol just before, during, or just after performing, safety sensitive functions; random testing for drugs does not have to be conducted in immediate time proximity to performing safety sensitive functions.

E. Return-to-duty and Follow-up Testing – Return-to-duty tests are conducted when a driver who has violated DOT’s prohibited drug and alcohol standards returns to performing safety sensitive duties. Follow-up tests are unannounced, and at least 6 tests must be conducted in the first 12 months after a driver returns to duty; follow-up tests may be extended for up to 60 months following a driver’s return to duty. Drug tests must be negative and alcohol tests must demonstrate a breath alcohol level of less than 0.02. The driver will pay all costs associated with return-to-duty testing. When applicable, the City will follow all applicable DOT regulations in requiring return-to-duty and follow-up testing. The City is not, however, required to hire an applicant or continue the employment of a driver who has violated DOT drug and alcohol regulations or this policy and it is the policy of the City not to do so. Thus, return-to-duty and follow-up tests are generally applicable only for those seeking assistance as set out below and, based on individual circumstances, for those who may have had an alcohol concentration of 0.02 or greater, but less than 0.04.

F. Refusal to Test – An employee who refuses to be tested in any of the above circumstances, who obstructs the testing process, or who tampers/alters a specimen, will not be permitted to perform or continue to perform safety sensitive functions and will likely be terminated. An applicant who does one of these prohibited acts will not be hired. Except in the case of pre-employment testing, a refusal to test includes the failure to appear for testing within a reasonable time, as well as failure to remain at the testing site until the testing process is complete. Failure to test also includes the failure to provide the required sample with no adequate medical explanation, and the failure to cooperate with any part of the testing process (e.g., refusing to empty pockets when asked to do so, behaving in a confrontational way that disrupts the collection process, or failure to undergo a medical exam or evaluation as directed by the physician medical review officer (MRO) as part of the verification process).
G. Additional Information About Alcohol Testing.

1. **Consequences of a Positive Alcohol Test** – An employee who is tested and has an alcohol concentration of 0.04 or greater will be removed from safety sensitive functions and will be terminated. An employee who is tested and has an alcohol concentration of .02 to .039 will not be permitted to perform safety sensitive functions for a minimum of 24 hours and will be disciplined, up to and including termination. If the employee is not terminated, then he/she will receive a mandatory referral to a substance abuse professional. Any non-compliance with the treatment recommendations of the substance abuse professional will result in disciplinary action, up to and including termination. (The employee will be placed on administrative leave without pay during the treatment period. That employee may use accrued sick leave during the treatment period.)

2. **Alcohol Testing Procedures** – A trained breath alcohol technician will conduct alcohol tests. If the alcohol concentration is 0.02 or greater, a second confirmation test will be conducted in accordance with DOT regulations, the results of which will determine any actions taken. Any result of less than 0.02 alcohol concentration is considered a “negative” test. The second, confirmation test results determine if the employee is in violation of this policy. Testing procedures that ensure accuracy, reliability and confidentiality of test results will be followed pursuant to DOT regulations.

H. Additional Information About Drug Testing.

1. **Drug Testing Procedures** – Drug testing is conducted by analyzing a driver’s urine specimen at a lab certified by the U.S. Department of Health and Human Services. The driver provides a specimen in a location that affords privacy and the “collector” seals and labels the specimen, completes a chain of custody document, and prepares the specimen and accompanying paperwork for shipment to a drug-testing lab. “Split” urine specimens provide drivers with an opportunity for a second test, if needed. If the driver challenges the validity of the test, then he/she has 72 hours to request that the split specimen be sent for testing to another certified lab approved by the City’s Human Resources Division. The second test will be at the driver’s own expense.

2. **Drugs Tested For** – DOT requires testing for the following drugs:

- Marijuana (THC)
- Cocaine
- Amphetamines
- Opiates
- Phencyclidine (PCP)

A screening test is performed first. If it is positive for one or more of these drugs, then a confirmation test is performed. Whenever the terms “drug,” “drugs” or “controlled substances” are used in this policy, they refer to the substances listed above. The City will not test for any
other substances under this policy. The City may, however, test for other controlled substances pursuant to its general Drug and Alcohol Use Policy.

3. **Review of Drug Test Results** – All drug test results are reviewed and interpreted by a physician medical review officer (MRO) before they are reported to the City. If the lab reports a positive result to the MRO, the MRO will contact the driver (either in person or by phone) and will conduct an interview to determine if there is an alternative medical explanation for the drug(s) found in the driver’s urine specimen. If the driver provides appropriate documentation and the MRO determines that it is a legitimate medical use of the prohibited drug(s), the drug test result is reported as a negative to the City.

4. **Consequences of a Positive Drug Test** – A driver will be removed from safety sensitive duties and placed on administrative leave if he/she tests positive for drugs. The removal cannot take place until the MRO has interviewed the driver and determined that the positive test resulted from the unauthorized use of a controlled substance. A confirmed positive drug result will result in termination of employment.

5. **Confidentiality** – Test results may be released only to the driver, designated City officials, a substance abuse professional, laboratory officials or a medical review officer. Records will also be made available to a subsequent employer or other identified person upon the driver’s specific written request. Test results will not be released to others except as required by law or expressly authorized in the applicable DOT regulations (e.g., the decision maker in a lawsuit, appeal or administrative proceeding initiated by or on behalf of the driver and arising from a positive DOT drug or alcohol test or refusal to test; this includes workers’ compensation and unemployment proceedings.) All test results will be kept in a confidential file by the Human Resources Division. Management and supervisory personnel who are authorized to have access to alcohol and drug testing results must maintain complete confidentiality regarding this information. City employees who make a reasonable suspicion observation or who witness an accident must also maintain confidentiality. Breach of confidentiality relating to test results, or any other related matters, will likely result in disciplinary action, up to and including termination of employment.

I. **Information From Prior Employers** – For new hires, promoted and transferred employee-drivers seeking to perform safety sensitive functions for the first time, the City is required, with the driver’s written consent, to obtain information from previous employers regarding alcohol test results of 0.04 or greater, verified positive drug test results, refusals to test (including verified adulterated or substituted drug test results), and any other violation of DOT drug and alcohol testing regulations within the two years prior to the date of the driver’s application, promotion or transfer. Affected individuals must sign a Breath Alcohol and Drug Testing Results Request. The City will obtain and review the information before allowing the person to perform safety sensitive functions. If the City receives any such information about an applicant-driver, the applicant will not be hired; if such information is received about an employee seeking promotion or transfer, the employee will not be promoted or transferred to the driver position and may also receive disciplinary action, up to and including termination of employment. The City will maintain a written, confidential record of the information it obtains and/or the good faith efforts it made to obtain the information. This information will be retained.
for a minimum of 3 years. The City will also ask the person if he/she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the driver applied for, but did not obtain, safety sensitive transportation work covered by a DOT agency drug and alcohol testing rules during the past 2 years. If the person admits to such conduct, the person will not be allowed to perform safety sensitive functions for the City. If the driver refuses to provide the City with the required written consent, the driver will not be permitted to perform safety sensitive functions and will likely be disciplined (up to and including termination of employment) if employed, or not hired if applying for employment.

J. Record Retention – The City will maintain and retain records under this policy as mandated by DOT regulations. See 49 C.F.R. §382.401, Retention of Records.

K. Notification to Applicants/Employees of Positive Test Results – The City will notify applicants of the results of a pre-employment drug test if the applicant requests such results within 60 calendar days of being notified of the disposition of the employment application. The City will notify an employee of the results of random, reasonable suspicion and post-accident drug tests if the test results are verified positive, and also which controlled substance(s) verified positive. The City will also make reasonable efforts to contact and request each driver who tested positive to contact and discuss the results of their drug test with a MRO who has been unable to contact the driver. The City will immediately notify the MRO that the driver has been notified to contact the MRO within 72 hours.

L. Employee Admission of Drug/Alcohol Use – An employee who admits to alcohol misuse or drug use must do so in accordance with the City’s general Drug and Alcohol Use Policy; provided, however, the employee may not self-identify in order to avoid the testing requirements of this DOT policy. Further, the employee must make the admission prior to performing a safety sensitive function, i.e., prior to reporting for duty. The employee may not perform a safety sensitive function until the City is satisfied that the employee has been evaluated and has successfully completed educational or treatment requirements in accordance with the City’s general Drug and Alcohol Use Policy. A drug and alcohol abuse evaluation expert, i.e., an EAP professional, a substance abuse professional or a qualified drug and alcohol counselor, will determine successful completion. Prior to the employee performing safety sensitive functions, the employee must undergo a return to duty alcohol test with a result of less than 0.02 and/or a return to duty drug test with a negative test result.

M. Safety Sensitive Functions – For purposes of this policy, safety sensitive function or duty means from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety sensitive functions/duties include:

- All time at a City, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the City;
- All time inspecting equipment as required by applicable DOT regulations or otherwise inspecting, servicing, or conditioning any CMV at any time;
- All time spent at the driving controls of a CMV in operation;
• All time, other than driving time, in or upon any CMV;
• All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
• All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

N. **Transportation to Testing Site** – With the exception of pre-employment testing, employees will be driven to the testing facility by a supervisor. The supervisor will remain with the employee during the testing process. The City will make arrangements to have the employee transported back to the City or home, as appropriate, after the testing is complete.

O. **Questions** – Anyone with questions regarding this policy should contact the Human Resources Division.
DRUG AND ALCOHOL USE POLICY

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

A. Prohibition Against Alcohol and Illegal and Unauthorized Drugs – While on City premises, while on duty, while conducting City-related business or other activities off premises, while driving a City-owned or leased vehicle, or while operating or using other City-owned or leased property or equipment, no employee may use, possess, distribute, sell, or be under the influence of alcohol (except under the limited circumstances described below), inhalants, illegal drugs, including drugs which are legally obtainable but which were not legally obtained, and prescribed or over-the-counter drugs which are not being used as prescribed or as intended by the manufacturer.

B. Prohibition Against Illegal and Unauthorized Drug-Related Paraphernalia – This policy also prohibits the use, possession, distribution and sale of drug-related paraphernalia while on City premises, while on duty, while conducting City-related business or other activities off premises, while driving a City-owned or leased vehicle, or while operating or using other City-owned or leased property or equipment. Drug-related paraphernalia includes material and/or equipment designed for use in testing, packaging, storing, injecting, ingesting, inhaling or otherwise introducing illegal or unauthorized drugs into the body.

C. Permissive Use of Prescribed and Over-The-Counter Drugs – The legal use of prescribed and over-the-counter drugs is permitted while on City premises, while on duty, while conducting City-related business or other activities off premises, while driving a City-owned or leased vehicle, or while operating or using other City-owned or leased property or equipment only if it does not impair an employee’s normal mental and physical abilities to perform the essential functions of the job (or operate the vehicle, property or other equipment) effectively and in a safe manner that does not endanger the employee, citizens or other individuals in the workplace. Examples of impairment include, but are not limited to, drowsiness, dizziness, confusion, or feeling shaky.

D. Permissive Use of Alcohol - The use of alcohol by a City employee during a business lunch is prohibited even though the person with whom the employee is having lunch may be consuming alcohol. At no time may an employee under the influence of alcohol drive a City-owned or leased vehicle or operate or use other City-owned or leased property or equipment. Further, an employee on duty or conducting City business, including City-related business entertainment, may not drive his or her own personal vehicle while under the influence of alcohol. No employee in his or her work-related capacity should ever be impaired due to the introduction of an alcoholic beverage into the body. Absent specific approval by the City Manager, City employees may not bring alcoholic beverages on City premises, including parking lots adjacent to City work areas, and may not store or transport alcohol in a City-owned or leased vehicle.
E. **Police Department Employees** - Police Department employees may be required to be in possession of alcohol and/or drugs in carrying out their job duties. Such employees will be exempted from certain portions of this policy under certain limited conditions. Additional guidelines may be established by Police Department operating procedures.

F. **Mandatory Disclosure by Employees** - Employees taking prescription medication and/or over-the-counter medication must report such use to either their Department Director or to the Human Resources Division if there is a reasonable likelihood the medication will impair the employee’s ability to perform the essential functions of his or her job (or operate a vehicle, property or other equipment, if applicable) effectively and in a safe manner that does not endanger the employee, citizens or other individuals in the workplace. Examples of impairment include, but are not limited to, drowsiness, dizziness, confusion, or feeling shaky.

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

H. **Mandatory Reporting of Convictions** - Employees must notify their immediate Supervisor and the Human Resources Division, in writing, of any criminal drug conviction, driving while intoxicated (DWI), driving under the influence (DUI), vehicle homicide (including a plea of nolo contendere) or deferred adjudication for a violation occurring off duty and/or in the workplace no later than five calendar days after the conviction.

I. **Off-Duty Conduct** - The City may take disciplinary action, up to and including termination of employment, if an employee’s off-duty use of or involvement with drugs or alcohol is damaging to the City’s reputation or business, is inconsistent with the employee’s job duties, or when such off-duty use or involvement adversely affects the employee’s job performance.

J. **Rehabilitation/Treatment.**

1. It is the City’s desire to assist employees who voluntarily request assistance with their alcohol or drug dependency. For City support and assistance, however, an employee must acknowledge his or her problem and seek and accept counseling and/or rehabilitation before it impairs his or her job performance and/or jeopardizes his/her employment.

2. Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take a leave of absence to participate in a rehabilitation or treatment program. (An employee may not enroll in a rehabilitation or treatment program in lieu of disciplinary action.) The leave of absence may be granted in the City’s sole discretion. Factors considered by the City in deciding whether to grant leave include: the length of the employee’s employment with the City; the employee’s prior
work and disciplinary history; the employee’s agreement to abstain from the use of the problem substance and follow all other requirements of the rehabilitation/treatment program; the reputation of the program and the likelihood of a successful outcome; the employee’s compliance with City policies, rules, and prohibitions relating to conduct in the workplace; and the resulting hardship on the City due to the employee’s absence. Unless otherwise required by law, it is the City’s policy to grant such a leave of absence only once during the course of an employee’s employment with the City. **Note:** Under certain conditions, treatment for substance abuse may be covered under the City’s Family Medical Leave Act Policy.

3. The cost of any rehabilitation or treatment may be covered under the City’s group health insurance policy. In any case where rehabilitation or treatment is not covered by the City’s group health insurance policy, the employee is responsible for all costs associated with any rehabilitation or treatment program. Should an employee need assistance in determining coverage of rehabilitation or treatment, he/she may seek assistance from the City’s Human Resource’s Division.

4. During time off for a City-approved rehabilitation or treatment program, the employee must use any available vacation leave, sick leave, compensatory time off, or other accrued paid leave time. If the employee has no paid time off available, the time away from work will be unpaid. Where applicable, any time off for rehabilitation or treatment under this policy will also be designated as leave under the City’s Family and Medical Leave Act policy.

5. If the employee successfully completes his or her prescribed rehabilitation or treatment, the City will make reasonable efforts to return the employee to his or her prior position or one of similar pay and status. However, employment with the City following a City-approved leave for rehabilitation or treatment is conditioned on the following:

- Initial negative test for drugs and/or alcohol before returning to work;
- A written release to return to work from the City-approved rehabilitation or treatment facility/program;
- Periodic and timely confirmation of the employee’s on going cooperation and successful participation in any follow-up or ongoing counseling, testing, or other treatment required in connection with the City-approved rehabilitation or treatment program, if applicable. In addition to any testing required in connection with the employee’s ongoing treatment or follow-up to treatment, all employees who participate in rehabilitation or treatment under this section will also be required to submit to periodic and/or random testing by the City during the two years following the employee’s return to work following treatment;
- The employee must sign a formal written agreement to abide by the above conditions, as well as any other conditions deemed appropriate by the Human Resources Division. The employee must meet with the Human Resources Division to discuss the terms of his or her continued employment and sign a formal agreement before returning to work.
6. This policy will be administered in accordance with the City’s Family Medical Leave Act policy when applicable.

K. Policy Violations - Violations of this policy will generally lead to disciplinary action, up to and including immediate termination of employment and/or required participation in a substance abuse rehabilitation or treatment program. The Police Department may have stricter disciplinary rules regarding violation of this policy. Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or the Human Resources Division to receive assistance or referrals to appropriate resources in the community.

L. Testing

1. Types of Tests. Testing may include one or more of the following: urinalysis, hair testing, portable breath test, intoxilyzer, or other generally-accepted testing procedure.

2. Testing of Applicants. All applicants to whom a conditional offer of employment has been made for a safety sensitive position will be required to submit to testing for alcohol and illegal and unauthorized drugs. A positive test result, refusal to test, or attempts to alter or tamper with a sample or any other part of the test, will render the applicant ineligible for consideration of employment or future employment with the City.

3. Testing of Employees.

   a. ALL employees will be tested for alcohol and/or illegal and unauthorized drugs after a workplace injury or accident or “near miss,” or in connection with any required treatment or rehabilitation. An employee who is injured by an “external process” during the course of his/her official duties is exempt from mandatory drug and alcohol testing unless a supervisor has reasonable suspicion to believe that the use of drugs or alcohol by the employee contributed to the accident. “External process” means insect bites or stings, animal bites or scratches, and falling objects which the employee had no contact with prior to the injury. An on-duty police officer who is injured in the course of subduing a suspect is also exempt from mandatory drug and alcohol testing unless a supervisor has reasonable suspicion to believe that the officer has used drugs or alcohol.

   b. Police Department employees are also subject to any applicable departmental rules and regulations regarding illegal and unauthorized drug and alcohol testing.

   c. For purposes of this policy, reasonable suspicion is a belief based on facts and circumstances (e.g., observation of alcohol or drug use, apparent physical state of impairment, incoherent mental state, changes in personal behavior that are otherwise unexplainable, deteriorating work performance that is not attributable to other factors, a work-related accident or injury, evidence of possession of substances or objects which appear to be illegal or unauthorized drugs or drug paraphernalia) sufficient to lead a supervisor to suspect that the employee is under the influence of illegal or unauthorized drugs or alcohol. Supervisors who refer an employee for
reasonable suspicion testing must document the specific facts and circumstances that support reasonable suspicion testing (e.g., the who, what, when, where of the employee’s behavior and other symptoms, statements from other employees or third parties, and other evidence supporting the reasonable suspicion testing).

d. For purposes of this policy, alcohol and drug testing is required when an employee is involved in an accident while on duty if the accident results in bodily injury or property damage of any type. An employee will not be considered to be “involved” in an accident if the employee is not present during the accident. Also, if an employee is involved in a “near miss” that gives rise to a concern regarding the employee’s sobriety or ability to exercise good judgment or control of a vehicle or equipment because of the influence of drugs or alcohol, testing is required.

e. Tests will be paid for by the City. To the extent possible, testing will normally be done during the employee’s normal work time.

f. Any employee who refuses to be tested, or who attempts to alter or tamper with a sample or any other part of the testing process, will be subject to disciplinary action up to and including termination.

g. A positive test result is a violation of the City’s Drug and Alcohol Use Policy and may result in disciplinary action up to and including termination of employment. Any employee who is terminated for violation of the City’s Drug and Alcohol Use Policy is ineligible for future employment with the City.

h. The City has additional obligations when testing for controlled substances and alcohol for those employees regulated by the U.S. Department of Transportation. Please see the City’s Drug and Alcohol Policy for DOT Employees for additional information.

M. Testing Procedures.

1. All testing must normally be authorized in advance by both the employee’s Department Director and the Human Resources Division. If the Department Director is unavailable within a reasonable period of time, the Human Resources Division may, in his or her sole discretion, authorize the testing of an employee. If the Human Resources Division is unavailable within a reasonable period of time, the Department Director may, in his or her sole discretion, authorize the testing of an employee. For reasonable suspicion testing, testing may not be authorized without the supervisor’s documentation of the articulable factors which led him or her to suspect that the employee is under the influence of illegal or unauthorized drugs or alcohol. Testing should be arranged as soon as possible after the supervisor’s documentation of facts and circumstances.

2. If an employee’s conduct resulted in a workplace accident, injury or “near miss,” or reasonable suspicion exists to believe that the employee has violated the City’s Drug and Alcohol Use Policy, the employee will be provided with transportation to the testing facility. A supervisor or other designated City representative may be required to stay with the employee.
during the testing process. The City may, in its discretion, reassign the employee or put him or her on administrative leave until the test results are received. The City will make arrangements to have the employee transported home after the testing.

3. All substance abuse testing will be performed by an approved laboratory or healthcare provider chosen by the City. All positive test results will be subject to confirmation testing.

4. Test results will be maintained in a confidential file separate and apart from the employee’s personnel file. Any medical-related information will be confidential and accessible only by the Human Resources Division; supervisors and managers on a need to know basis, including those who have a need to know about necessary restrictions on the work or duties of an employee and any necessary accommodation; first aid and safety personnel when appropriate; government officials; insurance companies as may be necessary to provide health or life insurance to employees; by court order or as otherwise legally mandated; and as necessary to protect the interests of the City.
EDUCATION REIMBURSEMENT PROGRAM

It is a policy of the City to encourage employee development through formal education in order for an employee to maintain and improve job-related skills or prepare for advancement within the City. Therefore, the City shall reimburse the cost of tuition, mandatory fees and required books for courses which an employee takes through a school or institution that is approved by the Texas Education Agency (TEA) or other nationally recognized board of accreditation, and as provided in this policy.

A. Procedure/Rule - This policy applies to a regular, full-time employee with at least twelve consecutive months of service with the City. An employee is required to submit a City of Hutto Education Reimbursement Program form prior to enrollment for classes.

1. A course which is eligible for reimbursement shall, in the opinion of the Department Head, increase an employee’s competence in his/her present job, prepare him/her for advancement in the City or culminate in a certificate or degree.

2. The maximum benefit for reimbursement per applicant shall be equal to the cost of tuition, mandatory fees and required books not to exceed $2,500 per fiscal year (10/1-9/30).

3. This program is subject to available funding on a fiscal year basis, as determined by the annual budget process.

4. The City shall not pay the cost of tuition and mandatory fees which are paid by other sources, such as scholarships, grants, veterans programs, U.S. Military Reserves, aid programs or other subsidies.

5. Whenever possible, classes should be scheduled during non-working hours. If a course is available only during working hours, supervisors are encouraged to allow flexible scheduling of work to allow completion of the employee’s normally scheduled work hours per week. Final approval on flexible scheduling will be at the discretion of the Department Head.

6. While educational assistance is expected to enhance an employee’s performance and professional abilities, the City cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment or a pay increase.

7. Employees will not be paid for time attending class, and such time will not be considered hours worked for purposes of calculating overtime.

B. Reimbursement Process - An employee shall submit a written request for education reimbursement to his/her immediate supervisor, who shall request approval from the Department Director. Upon approval of the Department Director, the supervisor shall then forward the request to the Human Resources Division for review and approval. Enrollment in a class does not guarantee reimbursement if it has not been approved by the Department Director and Human Resources.
1. The program reimburses the cost of tuition, mandatory fees and required books only and does not include the costs for supplies, travel or late fees.

2. An employee must receive a grade of "C" or better to be reimbursed.

3. The employee shall obtain and submit to the Human Resources Department receipts for tuition, mandatory fees and required books along with the employee’s official school grade report for reimbursement.

4. The program does not apply to training or courses that are required by the City. It also does not cover professional licensing and professional development seminars. Any course, training, licensing or certification required by the City shall be covered by the training funds within each department.

5. Upon completion of a course in which an employee receives reimbursement, an employee must provide at a minimum, one year of service to the City. If an employee discontinues employment for any reason prior to providing one year of service, the employee is required to reimburse the City for those funds.

6. The City Manager or designee retains ultimate discretion to approve requests for reimbursement.

C. Mandatory Training/Education -- Whenever an employee is required by the City to attend training, education courses, seminars, or conferences, time spent in attending such activities will be considered to be work hours for which the employee is paid his or her regular compensation or overtime, if applicable. Also, reasonable expenses incurred in connection with attending such activities will be reimbursed pursuant to the City’s expense reimbursement policies.
ELECTRONIC COMMUNICATIONS AND SYSTEMS ACCESS USE

The City provides access to a computer network, Internet service, email, telephones, pagers, digital cameras, voice mail and fax communication systems for use by City employees in the performance of their job duties. These communication devices are referred to collectively in this policy as “electronic communications systems” or “systems.” These electronic communications systems are designed to support and enhance the communication, research and information capabilities of City employees and to encourage work-related communication and sharing of informational resources within the City. This policy governs user behavior pertaining to access and usage of the City’s electronic communications systems. This policy applies to all City employees, contractors, volunteers and other affiliates who use the City’s electronic communications systems. The City’s electronic communications systems access must be used in a professional, responsible, efficient, ethical and legal manner.

A. Internet and Email Access - Users desiring Internet and/or email access must obtain written permission from their Department Director and provide it to the IT Division. Users must acknowledge an understanding of this policy and its guidelines as a condition of receiving an Internet and/or email access account. Failure to adhere to this policy and its guidelines may result in suspending or revoking the offender’s privilege of access and/or other disciplinary action under City policies, up to and including termination of employment.

B. Acceptable Use - Acceptable uses of the City’s electronic communication systems are limited to those activities that support reference, research, internal/external communication and conducting City business in line with the user’s job responsibilities. Network users are encouraged to develop uses which meet their individual needs and which take advantage of the City’s internal network function. The City prohibits connection to sites or forwarding of information that contain materials that may be offensive to others including, but not limited to, sites or information containing sexually explicit material.

Users must understand that use of any City-provided, publicly accessible computer network such as the Internet and email is a privilege. Minimal personal use of the Internet or email and other electronic communications systems, whether it be from city owned or personally owned devices, is allowed under this policy as long as such use is not excessive and does not impede job performance or the performance of City business. The City is not responsible for personal communications sent on its electronic communications systems.

C. Unacceptable Uses of Electronic Communications Systems include:

- Using profanity, obscenity or other language which may be offensive or harassing to other coworkers or third parties.

- Accessing, displaying, downloading or distributing sexually explicit material (excluding an official police criminal investigation authorized by the Chief of Police).

- Accessing, displaying, downloading or distributing profane, obscene, harassing, offensive or unprofessional messages or content.
posting unfavorable comments related to work or business that would reflect negatively upon the city.

- copying or downloading any commercial software is strictly prohibited.

- using the systems for financial gain or for any commercial activity unrelated to city business.

- using the systems in such a manner as to create a security breach of the city network.

- looking or applying for work or business opportunities other than for internal city postings.

- accessing any site, or creating or forwarding messages with derogatory, inflammatory, or otherwise unwelcome remarks or content regarding race, religion, color, sex, national origin, age, disability, physical attributes or sexual preferences.

- transmitting or sharing information regarding a coworker’s health status without his/her permission.

- expressing opinions or personal views that could be misconstrued as being those of the city.

- expressing opinions or personal views regarding management of the city or other political views.

- using the electronic communication systems for any illegal purpose or in any way that violates city policy or is contrary to the city’s best interest.

D. Filtering - The city uses software to filter inappropriate internet sites. The city will review this filtering on a periodic basis and may modify prohibited sites without notification to city employees, contractors, volunteers or other affiliates. The city manager (or designee) may grant exceptions and exemptions to internet and instant messaging filtering only after a review of the requested information has been conducted and a determination that the city’s current filtering practice impedes the requestor’s ability to perform his/her job duties.

E. Responsibility - The person in whose name a city–provided internet, email or other electronic communications system account is issued is responsible at all times for its proper use, regardless of the user’s location. Exchanges that occur in the course of conducting city business on the city’s electronic communications systems will be considered a communication of the city and held to the same standards as formal letters.

F. No Right of Privacy/Monitoring. Users of city electronic communications systems may not assume they are provided any degree of anonymity and employees have no right to
privacy with regard to such systems. Personal passwords are not an assurance of confidentiality. The Internet itself is not secure. To ensure proper use of its electronic communications systems, the City will monitor their use. Management staff has the ability and will, with or without advance notice, monitor and view usage, including but not limited to: employee email, voice mail and instant messages, information and material transmitted, received or stored using City systems and user Internet access and usage patterns to assure that the City’s Internet resources are devoted to maintaining the highest levels of productivity, as well as proper use and compliance with this policy.

G. Restrictions – No software can be downloaded into the City’s terminal services servers unless authorized by the appropriate City representative (Assistant City Manager, and/or City Manager) and approved by the City’s IT service provider as to compliance with any copyright restrictions, annual licensing and maintenance agreements and compatibility to the City’s operating systems. Under no circumstances will the City allow any software or other material relating to music, entertainment software or games to be downloaded.
EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City’s Employee Assistance Program (EAP) is available to provide assistance to employees who may be experiencing personal or family problems with alcohol or drug abuse, financial burdens, marital or other family problems. All employees who feel they may have an alcohol or drug problem are encouraged to utilize the program’s resources before the problem adversely affects their job performance or employment status. Participation in this program is typically voluntary and confidential. However, a supervisor may make a mandatory referral when some aspect of an employee’s personal life negatively affects his or her performance on the job.
EMPLOYEE CONDUCT AND WORK RULES/DISCIPLINARY ACTION

All city employees are public servants and, as such, should conduct themselves professionally and courteously while on duty or when wearing any article of clothing or accessory that identifies them with the city. All employees must avoid the appearance of illegal or unethical conduct at all times.

Any conduct of an employee, whether or not that individual is on duty, that has the impact or potential impact of any of the following, may result in discipline up to and including termination of employment:

- Creating a conflict or discord in the workplace
- Interfering with the individual’s own work or that of another employee
- Creating a harassing, demeaning, or hostile work environment at the city
- Harming the goodwill or reputation of the city with its citizens or with the community at large
- Disclosing confidential information of the city or of another when the information was obtained by virtue of employment with the city

Employee “conduct” includes verbal communications, internet or electronic communication of any kind, and physical behavior.

An employee who uses any form of social media or the internet to post the city’s confidential information or to post unfavorable comments about city officials, supervisors, or co-workers when those comments constitute a form of discrimination or harassment or result in disruption of city business or harm to the city’s reputation will be disciplined up to and including termination of employment. Such conduct is prohibited whether or not the posting is made by use of city equipment and whether or not the posting is made during work hours. This prohibition is not intended to prevent an employee from discussing the wages, hours, and working conditions of employment with co-workers.

A. Progressive Discipline – In certain instances, the City will use a progressive disciplinary system. The City is not obligated to use all of the progressive disciplinary steps available to it, and may begin the disciplinary process at any level, up to and including immediate discharge, depending upon the severity of the conduct, the employee’s work performance and prior disciplinary history, the employee’s length of service, and any mitigating circumstances. Depending on the circumstances of each individual case, disciplinary action may consist of one or more of the following:

- oral warning
- letter of counseling
- written reprimand
- probation
- suspension (without pay)
- demotion
- termination
B. Documentation – All forms of discipline must be documented and will be placed in the employee’s personnel file. In the event a Supervisor or Department Director recommends an employee be discharged, the Supervisor or Department Director shall forward a copy of the dismissal documentation to the Human Resources Division and the City Manager for review. The City Manager will make the final decision regarding the termination of an employee. No employee who was involuntarily discharged is eligible for rehire unless the discharge was a result of a Reduction in Force or a reorganization resulting in elimination of the employee’s job.

C. Supervisory Responsibility – All employees with the responsibility and authority to supervise and direct employees under their control shall administer policies and procedures within their scope of authority; document their subordinates’ job performance, conduct, and behavior as appropriate; properly conduct evaluations of subordinates in a timely manner; discipline their subordinates as required under their departmental and/or City policies and procedures as well as address performance appeals submitted to them as provided by policy in a professional manner, in an attempt to resolve such issues at the lowest possible supervisory level.

D. Review by Human Resources Division – Any proposed disciplinary action in excess of an oral warning must be reviewed by the Human Resources Division prior to being given to the employee.

E. Appeal Rights – Where a disciplinary action involves a suspension of 1 day (or 1 shift) or more or a demotion, the employee may follow the City’s Complaint Resolution Procedure. For additional information, see the Complaint Resolution Policy section of this Handbook. However, positions classified as director level and above are employed at the will and pleasure of the City Manager and have no right of appeal for any type of disciplinary action.

F. Prohibited Activities. Disciplinary action will be imposed for violations of City or departmental policies and procedures, codes of conduct, rules and regulations, either written or verbal. In addition, acts which are not specifically addressed in policies and procedures, codes of conduct, and rules and regulations, yet may adversely affect the City or put the health and safety of fellow employees, citizens or other third parties, at risk, may also result in disciplinary action. It is impossible to list all the forms of behavior that are considered unacceptable in the workplace. The following are some examples of conduct that will likely result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or use of City property or other property not belonging to the employee.
- Falsification of timekeeping or other records, including employment application.
- Working under the influence of alcohol or illegal drugs.
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty or while operating City-owned equipment except in the performance of official police duties.
● Violation of City’s policy regarding sexual or other unlawful harassment.
● Interfering with work schedules or another employee’s ability to work.
● Misuse of City telephones, computers, mail systems, etc.
● Excessive or unscheduled absenteeism, tardiness in reporting for work or returning from lunch and breaks or absence without notice and/or approval.
● Breaks in excess of the allotted time allowed.
● Violation of smoking policy.
● Violation of safety or health rules and failure to immediately report an on-the-job injury/accident.
● Profanity, abusive language, or racial slurs.
● Unauthorized disclosure of confidential information.
● Violation of any provision of the City Charter.
● Violation of City or departmental policies, codes of conduct, rules and procedures.
● Coercion, intimidation, or threats against citizens, supervisors, co-workers, City officials, or others.
● Making or publishing false, vicious, or malicious statements about the City, or a City employee or citizen, or others.
● Unsatisfactory performance or conduct.
● Inefficiency, incompetence or neglect of duty.
● Fighting, provoking or instigating a fight, or threatening violence.
● Disruptive activity in the workplace.
● Engaging in a work stoppage.
● Conduct which results in waste or damage of a coworker’s, City, or citizen-owned property.
● Insubordination or other disrespectful or unprofessional conduct.
● Discourteous treatment of the public.
● Possession of weapons on City time, City premises, or while on City business except for licensed peace officers required to carry a weapon as part of their job duties.

● Violation of local, state or federal law.

● Conviction of a felony, including reasonable belief employee has committed a crime under Texas Penal Code or Class A or B misdemeanor, or repeated conviction of Class C misdemeanor charges.

● Failure to timely return to work upon conclusion of authorized leave or disciplinary suspension.

● Outside employment that conflicts with, or potentially conflicts with, City interests.

● Acceptance of payment of any kind for activities related to City employment.

● Failure or refusal to follow lawful orders.

● Sleeping on the job.

● Dishonesty, including misrepresentation during the hiring process.

● An accumulation of minor infractions.

G. Felonies and Misdemeanors – Employees must immediately notify their Supervisor and/or Department Director if they are arrested, charged, indicted, convicted, receive deferred adjudication, or plead nolo contendere to any misdemeanor or felony. Whenever the criminal charge relates to the employee’s duties for the City, the City will conduct its own investigation and take appropriate action.

An employee arrested, charged, or indicted for a felony or misdemeanor involving a crime of moral turpitude, or accused by information of official misconduct or other serious criminal violation will be placed on administrative leave (without pay) until the charge, indictment or information is dismissed or fully adjudicated without trial, and, if tried, until the trial and appeal (if any) are completed and all related administrative matters are concluded. In the event the matter is dismissed or the employee is adjudged not guilty of the charge, the employee will be entitled to receive back pay from the date of commencement of administrative leave without pay through the date the matter becomes final by dismissal or final, non-appealable, judgment up to a maximum of twelve months pay. An employee on administrative leave may, in the City’s sole discretion, be reinstated to the position held before being placed on administrative leave (if the position is open at the time), if the indictment or information is dismissed, the employee is acquitted, or the conviction is reversed on appeal. Notwithstanding the foregoing, if the City, based upon its own investigation of the matter, determines that the employee should no longer be employed by the City, the employee may be discharged regardless of the pendency of criminal proceedings. In such event, no back pay will be paid even if the criminal charge is dismissed or
the employee is ultimately determined to be innocent of the criminal charge. At the discretion of the City Manager, an employee will not be required to take administrative leave under this section if the criminal offense is a misdemeanor unrelated to and not impacting the employee’s position with and duties for the City.

H. Disciplinary Conference – A disciplinary conference will be scheduled at the time of the imposition of a disciplinary suspension of 1 day (or 1 shift) or more, demotion, or termination. The Department Director, the affected employee, the Human Resources Division and anyone else deemed necessary by the Department Director typically attend the disciplinary conference. During the conference, the affected employee will be given an opportunity to present an explanation of the conduct leading up to the proposed disciplinary action. Employees may, in the City’s sole discretion, be placed on administrative leave without pay prior to, during, or after the disciplinary conference. The employee will be notified of the City’s determination following the conference.

I. Administrative Leave – During an investigation into alleged offenses or violations of City policies, the City may, in its sole discretion, place the employee on administrative leave without pay.
EMPLOYEE SAFETY

The City is interested in your safety and well-being. Accordingly, the City has developed safety rules and regulations. Each and every employee is required to obey safety rules and to exercise caution in all work activities. From time to time you will be updated and reviewed on safety procedures in an effort to increase your awareness of the importance of safety on the job. You can do much to prevent accidents and injuries by obeying the safety rules of your job, by remaining alert, and by THINKING SAFETY at all times. If you see something that you believe is an unsafe act or an unsafe condition, you should immediately report it to your supervisor or to management at once.

A. General Guidelines - The following safety rules apply at all times and some specific job descriptions may contain additional operational safety guidelines. Each employee must be familiar with such rules and apply them at all times. It is the policy of the City of Hutto to investigate all work-related accidents or incidents that result in or could potentially have resulted in injury or property damage. As nearly all accidents and incidents have their own unique characteristics, only general rules and procedures can be outlined here.

- Use prescribed protective equipment such as eye protection, hearing protection, hard hats, safety shoes, gloves, shields, etc. when those items are appropriate to the task being performed.

- Walk, do not run. Wipe spills and pick up fallen objects and debris. Keep floor surfaces clear of hazards and other obstacles, electric cords, etc. For your comfort and safety, wear shoes with non-slip soles, in good condition and with enclosed toes. Do not wear sandals, sneakers, moccasins or tennis shoes on any job site where feet could be injured.

- To avoid back injuries, use correct lifting methods. Get someone to help you with heavy (or difficult to handle) items.

- Be aware of sharp tools. Use safety devices where provided, and do not alter or remove them in any way. Report hazards to management immediately.

- Material Safety Data Sheets (MSDS Sheets) - You will be shown the location of the City’s Material Safety Data Sheets. MSDS sheets provide valuable information about various chemicals and other agents that you may encounter in your work. They will explain possible reactions to exposure, and steps you should take if it occurs. Review this information from time to time.

- Fire - Be alert for causes and report smoke, heat or unusual odors immediately. Alert other people in the area to the possibility of danger in order to evacuate, if necessary. Try to verify the location and call the Fire Department or 911. Use proper portable extinguishers for small fires.

- Do not put fingers, hands, feet or clothing in moving machinery.
● Do not carry items in a manner that obscures your vision.
● Do not block access to fire extinguishers.
● Do not touch open or loose electrical circuits.
● Report unusual vibrations, smells, or noises coming from equipment.
● Do not wear rings or jewelry while operating machinery.
● Do not perform maintenance or repairs on running equipment.
● Do not remove or alter warning tags or safety devices.
● Never leave nails or spikes protruding from planks or boards.
● Perform routine maintenance at all scheduled intervals.
● Do not use compressed air for cleaning clothing or floors.

B. Responsibilities - Employees must immediately report to their supervisor any on-the-job injury or illness they sustain, or suspect they have sustained, no matter how minor. They must also report any incidents that had the potential for injury to employees or third parties and any instances where property damage occurred.

Supervision shall first respond to the immediate medical needs of any injured persons. Then, they should begin reporting and investigate activities as described in this policy.

Witnesses to the event that resulted in the accident or incident will provide statements about what they observed. The witnesses may also be asked to participate in the initial and/or final investigations.

C. Procedures

1. Initial Notification – Employees are responsible for reporting all injuries, illnesses or incidents as described earlier in this policy. Failure to report any injury or incident may be cause for disciplinary action. In the event of a serious or disabling injury, fellow employees must assume this reporting responsibility.

2. Initial Treatment – Any injury shall be treated by the supervisor or other available personnel in accordance with their individual abilities and the injury severity. Treatment should be provided by any qualified physician who participates in the City’s worker’s compensation network, the Political Subdivision Worker’s Compensation Alliance. A list of participating physicians may be accessed online at http://www.pswca.org/directory/. Medical treatment is mandatory for any of the following:
- Severe chest pains
- Traumatic injuries
- Loss of consciousness or severe dizziness
- Seizures
- Difficulty breathing
- Severe animal bite
- Injury requiring sutures or tetanus shot

The first responders to any incident scene will be responsible for securing the area to prevent further damage or injury and also protecting the integrity of the incident scene until an investigation can be initiated.

Any incident involving possible exposure to blood borne pathogens, communicable diseases or any other contagious substances shall be handled by a qualified medical professional. Any incident involving an employees’ possible exposure to blood borne pathogens, communicable diseases or any other contagious substances, that employee is required to seek immediate medical assistance and report the situation as soon as practical or within 48 hours to their immediate supervisor and the Human Resources Division.

Injured employees are to be transported for medical treatment either by ambulance or another person depending on the severity of the injury. Injured employees should never be allowed to transport themselves for initial medical treatment, but they may transport themselves for follow-up visits if the injury does not impair their driving abilities.

3. **Initial Report** – An initial report will be completed for all accidents and incidents. The immediate supervisor of the employee will complete the initial investigation and report as soon as possible after the occurrence. The initial report will be turned in to Human Resources Division with a copy to the Department Director. The Human Resources Division is responsible for receiving and reviewing the initial reports of injury or property damage and forwarding them to the appropriate insurance representatives in a timely manner.
EMPLOYEE VOLUNTEER PAID LEAVE POLICY

The City of Hutto recognizes its responsibility to engage in and strengthen the Hutto community. This policy is designed to support community service and volunteerism as an integral part of our core values and motto to passionately serve the Hutto community.

A. Purpose: The purpose of the City of Hutto Employee Volunteer Policy is to encourage city employees to participate in community service related activities or through a city-sponsored event.

B. Effective Date: This policy will apply to any volunteer time that was completed in conjunction with a community event or organization located in the city of Hutto, starting February 1, 2015 at which time the City Manager, acting on authority to grant paid leave, instituted this policy.

C. Terms of Participation: Employees may volunteer independently or as a division/team. Participation is open to all full-time City of Hutto employees. Employees must be in good standing, regularly fulfilling the requirements of his/her job at the expected performance level. Volunteer time must be an activity unrelated to the employee’s job duties. Any employee who is compensated by outside agencies/organizations for work performed that is not required by their City of Hutto job duties (although the work may be similar) may substitute volunteer time in lieu of compensation from the outside agency/organization, provided that written approval is obtained in advance by the employee’s supervisor and documentation is provided by the outside agency/organization showing that the work was not paid.

Employees volunteering on an individual basis must coordinate plans of participation with his/her supervisor. When requesting time off, an employee must submit a brief description of the volunteer activity in writing to his/her supervisor for approval (Employee Volunteer Request Form). Participation hours must be recorded on employee time sheet.

Employees volunteering with a division/team must determine a worthy cause or with a service group in the community and requires approval by supervisor(s) before volunteer activity commences.

The City of Hutto will grant four (4) hours of paid leave per fiscal year to qualifying employees for the purpose of participating in volunteer activities within the Hutto community. Whenever possible, employees should flex their time. Volunteer paid leave hours will not be counted as hours worked for purposes of determining overtime.
D. Procedures:

a. Employees must schedule and have advanced approval with his/her supervisor before volunteer activities commence. Supervisors have the discretion to deny approval depending on the staffing needs of the department.

b. Employees must submit Employee Volunteer Request Form to supervisor before volunteer activities commence.

c. Employees will reflect the appropriate payroll code on their timesheet.

d. Employees are encouraged to volunteer above and beyond the four (4) hours of paid volunteer leave time. This additional unpaid time should be recorded in the appropriate payroll code.

e. Employees should wear the City of Hutto Volunteer Shirt when completing volunteer activities, unless specific uniform attire is required.

E. Compliance: Any employee found to have falsely requested time off for volunteering activities or who acts in an inappropriate way while carrying out volunteering activities may be subject to disciplinary action, up to and including termination.

F. Disclaimer: Nothing in this policy should be construed as an endorsement by the City of Hutto of any charitable volunteer activity. The City of Hutto shall not be responsible for the outcome of the activity or any injury or damage that occurs to any party as a result of the volunteer activity. Volunteer activity is not within the course and scope of an employee’s duties for the City of Hutto, and injuries resulting from, arising out of, or exacerbated by any volunteer activity will not be an on-the-job injury for purposes of the City’s workers’ compensation benefits.

G. Examples of appropriate volunteer activities (not limited to this list):

a. Donating your time at the Hutto Food Pantry
b. Donating your time with the Weekend Lunchbox Program
c. Cleaning up a city owned park, ROW, or Adopt-A-Spot location
d. Volunteering at a city-sponsored special event, i.e., “The Big Event”
e. Forming/participating with a team for a local charity event, i.e., “Relay for Life”
f. Volunteering through the United Way Day of Caring
g. HISD Mentoring Program
h. Story Time at the Library
EMPLOYMENT STATUS

The City classifies City employees for the purpose of employment status and benefit eligibility as follows:

A. Regular full-time - An employee in a budgeted position with an officially scheduled work week of 30 hours or more each work week (except for certain Police shift personnel who have different work cycles). Generally, regular full-time employees are eligible for the City’s full benefits package, subject to the terms, conditions, and waiting periods of each benefit program. Regular full-time employees are required to participate in the Texas Municipal Retirement System (TMRS).

B. Regular part-time - An employee in a budgeted position with an officially scheduled work week of less than 30 hours who has successfully completed 6 months of active service with the City. Regular part-time employees receive all legally mandated benefits (such as workers’ compensation insurance coverage), but are not eligible for other City sponsored employment benefits. Regular part-time employees who are regularly scheduled to work 1,000 hours or more per year are required to participate in the Texas Municipal Retirement System (TMRS).

C. Temporary/Seasonal - An employee who is employed for only a specific time period, for a special assignment, or as an interim replacement. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary and seasonal employees retain that status unless and until notified of a change in writing by the Human Resources Division. Temporary and seasonal employees receive all legally mandated benefits (such as workers’ compensation insurance coverage), but are not eligible for the City’s other employment benefits. Temporary employees who are placed with the City but who are actually employed by a temporary staffing agency must look to the temporary staffing agency to determine what benefits they are provided. Such employees are not eligible for benefits from the City and are not eligible for participation in TMRS.

D. Appointed - An employee who is appointed by the City Manager to perform work on an “as needed” hourly basis.

E. Reserve Personnel - The City of Hutto may engage in hiring reserve personnel for specific positions that require identifiable staffing requirements to maintain service levels. Reserve personnel are employees of the City of Hutto and, as such, are subject to all of the same recruitment, hiring and personnel policies as all other City employees including, without limitation, criminal background checks and drug screenings. The services of Reserve Personnel are performed on an “as-needed” basis as determined by the Department Director.

F. Volunteers - Volunteers are not employed by the City in any capacity. Volunteers elect to donate their time and services as a volunteer for the City without any expectation of compensation. Volunteers are generally not paid and are generally not entitled to any benefits.
G. FLSA Designation - In addition to being in one of the above categories, each employee is also designated as either exempt or non-exempt from federal and state wage and hour laws. Employees are informed of their status as exempt or non-exempt at the time of their initial employment, or subsequently if their classification changes for any reason. An employee’s exempt or non-exempt classification may be changed only upon written notification by the Human Resources Division.
EQUAL EMPLOYMENT OPPORTUNITY

The City is an equal opportunity employer. Discrimination against any person in recruitment, examination, selection, appointment, rate of pay, promotion and transfer, retention, daily working conditions, testing and training, awards, compensation and benefits, disciplinary measures or any other aspect of employment or personnel management because of age, race, religion, sex, color, national origin, citizenship, disability, veteran’s status, genetic information, or other unlawful basis, is prohibited.
EXIT INTERVIEWS

The City usually provides separating employees with an exit interview prior to their last day of work. The purpose of the exit interview is to finalize all compensation due, return City equipment, provide explanation of any continuing benefits, review employment history, discuss the reason(s) for the separation, and solicit constructive feedback to improve the City. The Human Resources Division shall complete an Exit Interview Form. Exit interviews are conducted confidentially by the Human Resources Division. Information discussed during the exit interview may be shared with the City Manager’s office and acted upon as deemed appropriate by the City. The Department Director (or designee) is responsible for promptly notifying the Human Resources Division of all separations, arranging for the exit interview and providing documentation of receipt of all departmental and/or City property from the exiting employee.

Final payment of compensation may be withheld pending return of City property, completion of necessary paperwork, and other requirements of separation.
FAMILY AND MEDICAL LEAVE ACT

The City provides leave to eligible employees in accordance with the Family and Medical Leave Act (FMLA). Under the FMLA, eligible employees may take up to 12 weeks of unpaid leave each calendar year for specified family and medical reasons. Eligible employees may take up to 26 weeks of leave to care for a covered servicemember with a serious injury or illness during a single 12-month period which begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.

All governmental entities are covered by FMLA, regardless of the number of employees. However, an employee is eligible to take FMLA leave only if employed by an employer that has 50 or more employees within a 75 mile radius. The City of Hutto employed 50 employees on March 20, 2006 so as of this date, City of Hutto employees may take FMLA leave if they meet all eligibility requirements as set out herein.

A. FMLA Leave Runs Concurrently With Other Types of Leave - If an employee has any available accrued sick leave, it must be used concurrently with any available FMLA leave, provided the employee’s absence is covered by the City’s sick leave policy. Accrued sick leave taken for the purposes of FMLA for the employee or employee’s immediate family will follow the guidelines set out in the sick leave policy. If the absence is not covered by the City’s Sick Leave Policy or if an employee exhausts accrued sick leave, an employee on FMLA leave will be required to exhaust any accrued vacation leave concurrently with the FMLA leave. Disability leave also runs concurrently with FMLA leave, but if the employee is receiving short or long term disability benefits while on leave, the employee will not be required to exhaust accrued sick and/or vacation leave at the same time. FMLA leave will also run concurrently with any time off from work covered by workers’ compensation when the on-the-job injury qualifies as FMLA leave. Whenever an employee is substituting paid leave for FMLA leave, the employee must comply with the City’s existing notice and procedural requirement for the type of paid leave being used. Employees are not allowed to work from home or to perform work for any other employer while on FMLA leave. Any employee on FMLA leave will have access to their City email and computer accounts disabled. Access will be restored after the employee returns to work at the conclusion of FMLA leave.

B. Employee Eligibility - To be eligible for FMLA leave, an employee must have worked for the City:

- For at least 12 months, and
- For at least 1,250 hours during the 12 months preceding the start of the leave.

An employee’s 12 months of service with the City need not be consecutive months. However, the City will not recognize employment that preceded a 7-year break in service except in limited circumstances required by the FMLA.

The protections afforded by the Uniformed Services Employment and Reemployment Rights Act (USERRA) extend to all military members (covered active duty and reserve), and all periods of
absence from work due to or necessitated by USERRA covered service is counted in determining an employee’s eligibility for FMLA leave.

C. Leave Entitlement - Eligible employees may take FMLA leave for one or more of the following reasons:

- for the birth or placement of a child for adoption or foster care;
- to care for the employee’s spouse, son, daughter, or parent with a serious health condition;
- when the employee is unable to perform the functions of his/her position because of his/her own serious health condition;
- because of any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a military member on covered active duty (or has been notified of an impending call or order to covered active duty). Covered active duty requires deployment to a foreign county; or
- to care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the servicemember.

To determine eligibility for leave for most qualifying events, the 12-month period used by the City is the calendar year starting in January. Leave to care for a covered servicemember with a serious injury or illness is determined by a 12-month period that begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.

D. Employee’s Notice Requirements - In order for the City to accommodate an employee’s workload during his/her absence, an employee seeking to take FMLA leave must provide both his/her Department Director and the Human Resources Division with at least 30 days advance notice when the leave is foreseeable for an expected birth, placement for adoption or foster care, planned medical treatment for a serious health condition of the employee or of a family member of the employee, or the planned medical treatment for a serious injury or illness of a covered servicemember. If 30 days notice is not practicable (for example, because of a medical emergency), then notice must be given as soon as practicable. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, notice should be provided the same day or the next business day. If requested to do so, the employee must provide an explanation of why 30 days notice of foreseeable leave could not be given. If the leave is not foreseeable, an employee is expected to provide both his/her Department Director and the Human Resources Division with as much advance notice as possible. In the event of medical leave for planned medical treatment for the employee or for the employee’s spouse, child or parent, the employee is required to make a reasonable effort to schedule the treatment so as not to disrupt unduly the City’s operations.

Absent unusual circumstances, employees must comply with the City’s normal notice and procedural requirements for requesting leave. In requesting leave, the employee must provide sufficient information for the City to reasonably determine whether the FMLA applies to the leave request.
All supervisors must immediately notify both their Department Director and the Human Resources Division if they have reason to believe an employee’s absence is due to an FMLA-covered reason. (Note: Under the FMLA, an employee requesting paid or unpaid leave for an absence covered by the FMLA is not required to expressly mention FMLA. If the employee states a reason that qualifies for FMLA leave, the employee will likely have met the FMLA’s notice requirements.)

E. Medical Certification and Other Required Documentation - An employee must provide the City with a medical certification supporting the need for FMLA leave due to a serious health condition affecting the employee or the employee’s spouse, son, daughter, or parent or due to a qualifying exigency or to care for a covered servicemember with a serious injury or illness. The medical certification form must be filled out in all material respects and must be complete and sufficient to allow the City to make a determination of the need for leave. In addition, the certification must set forth the beginning and expected ending dates of the leave. In the case of intermittent leave, the certification must also provide the dates and duration of the treatments necessitating the intermittent leave. In some cases, the City may require a second or third medical certification (at the City’s expense) and periodic recertification of the serious health condition. Forms are available from the Human Resources Division.

An employee must also provide periodic reports during FMLA leave as to his/her status and intent to return to work, and will be required to submit a “fitness-for-duty” certification before the employee can return to work when the absence was due to the employee’s own serious health condition. A fitness for duty certification must certify that the employee is able to resume work and must specifically address the employee’s ability to perform the essential functions of the employee’s job. A list of the essential functions of the employee’s job will be provided by the City. Restoration to employment may be delayed until the required fitness-for-duty certification is submitted. If an employee fails to provide any required certification within 15 days, the City may deny leave until the certification is provided. If an employee elects to take FMLA leave in order to care for a family member, the employee may be required to provide reasonable documentation confirming a family relationship.

When leave is taken to care for a covered servicemember with a serious injury or illness, a special medical certification form must be completed by the servicemember’s health care provider. The City will provide the appropriate form. A servicemember’s health care provider may be a United States Department of Defense (“DOD”) health care provider, a United States Department of Veterans Affairs (“VA”) health care provider, a DOD TRICARE network authorized private health care provider, a DOD non-network TRICARE authorized private health care provider, or a health care provider not affiliated with the DOD, VA, or TRICARE. Second and third opinions regarding a covered servicemember’s serious injury or illness and recertifications may be required for certifications that are completed by health care providers who are not affiliated with DOD, VA, or TRICARE. An employee may be required to provide confirmation of covered family relationship to the seriously injured or ill servicemember. Invitational travel orders (ITOs) or Invitational Travel Authorizations (ITAs) will be accepted in lieu of medical certification.
F. Intermittent Leave - An eligible employee may take FMLA leave on an intermittent or reduced schedule basis only in those situations required by the FMLA or otherwise approved by the Department Director. When intermittent leave is needed, the employee must try to schedule the leave so as not to unduly disrupt the Department’s operations. The City may temporarily transfer the employee to an alternative position (with equivalent pay and benefits) in order to better accommodate an employee’s intermittent or reduced leave schedule.

Employees may not be required to take more FMLA leave than necessary to address the circumstances that cause the need for FMLA leave. FMLA leave, as with all other types of paid leave, may be taken in quarter-hour increments.

G. Leave for a Qualifying Exigency – When the need for leave because of a qualifying exigency arises out of the covered active duty or call to covered active duty status of a military member, the employee requesting leave must provide a copy of the military member’s covered active duty orders or other documentation issued by the military which indicates that the military member is on covered active duty or a contingency operation, and the dates of the military member’s covered active duty service. An employee requesting leave for a qualified exigency will be required to provide a certification on DOL Form WH-384 which will be provided by the City. This certification must be complete and sufficient to enable the City to determine the need for leave.

A “qualifying exigency” includes:

- **Short-notice deployment.** To address any issue that arises from the fact that a military member is notified of an impending call or order to covered active duty in support of a contingency operation seven or less calendar days prior to the date of deployment. Leave taken for this purpose can be used for a period of seven calendar days beginning on the date a military member is notified of an impending call or order to covered active duty in support of a contingency operation;

- **Military events and related activities.** To attend any official ceremony, program, or event sponsored by the military that is related to the covered active duty or call to covered active duty status of a military member and to attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the covered active duty or call to covered active duty status of a military member;

- **Childcare and school activities.** To arrange for alternative childcare, provide childcare, enroll in or transfer child(ren) to a new school or day care facility, or to attend meetings with school or daycare staff as authorized by the FMLA;

- **Parental care:** Eligible employees may take leave to care for a military member’s parent who is incapable of self-care when the care is necessitated by the member’s covered active duty. Such care may include arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility;
• **Financial and legal arrangements.** To make or update financial or legal arrangements to address the military member’s absence while on covered active duty or call to covered active duty status;

• **Counseling.** To attend counseling provided by someone other than a health care provider for oneself, for the military member, or for the biological, adopted, or foster child, a stepchild, or a legal ward of the military member, or a child for whom the military member stands in loco parentis, who is either under 18 or 18 or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence, provided that the need for counseling arises from the covered active duty or call to covered active duty status of a military member;

• **Rest and recuperation.** To spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment. Eligible employees may take up to 15 calendar days of leave for each instance of rest and recuperation. A copy of the military member’s Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member’s leave is required certification for a qualifying exigency;

• **Post-deployment activities.** To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of 90 days following the termination of the military member’s covered active duty status; and to address issues that arise from the death of a military member while on covered active duty status;

• **Additional activities.** To address other events which arise out of the military member’s covered active duty or call to covered active duty status provided that the City and employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave.

A “military member” is the employee’s spouse, son, daughter, or parent on covered active duty or call to covered active duty status.

**H. Leave to Care for a Servicemember with a Serious Injury or Illness** – An eligible employee is entitled to 26 workweeks of leave to care for a covered servicemember with a serious injury or illness during a single 12-month period which begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date. If an eligible employee does not take all 26 workweeks during the 12-month period, the remaining part of the 26 weeks is forfeited. An eligible employee is entitled to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the “single 12-month period” described in this section provided that the employee is entitled to no more than 12 weeks of leave for one or more of the following qualifying events: because of the birth of a son or daughter of the employee and in order to care for such son or daughter; because of the placement of a son or daughter with the employee for adoption or foster care; in order to care for the spouse, son, daughter, or parent with a serious health condition; because of the employee’s own serious health condition; or because of a qualifying exigency.
A husband and wife who are both employed by the City and who are both eligible for FMLA leave are limited to a combined total of 26 workweeks of leave during the “single 12-month period” described in this section if the leave is taken for birth of the employee’s son or daughter or to care for the child after birth, for placement of a son or daughter with the employee for adoption or foster care or to care for the child after placement, to care for the employee’s parent with a serious health condition, or to care for a covered servicemember with a serious injury or illness.

The “serious injury or illness” of a covered servicemember is an injury or illness incurred in the line of duty on covered active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating. This also includes injuries or illnesses that existed before the beginning of the member’s active duty and were aggravated by service in the line of duty on active duty in the Armed Forces.

A “serious injury or illness” for a covered veteran (see definition in subsequent paragraph) means an injury or illness that was incurred or aggravated by the member in the line of duty on active duty in the Armed Forces and manifested itself before or after the member became a veteran, and is:

• A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember’s office, grade, rank, or rating; OR
• A physical or mental condition for which the covered veteran has received a Veterans Affairs Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; OR
• A physical or mental condition that substantially impairs the veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent treatment; OR
• An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

A “covered servicemember” is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient therapy, or is otherwise on the temporary disability retired list, for a serious injury or illness. “Covered servicemember” also includes covered veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness. A “covered veteran” is an individual who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. The City may require the employee giving notice of the need for leave to provide reasonable documentation or statement of family relationship.
I. Benefits During FMLA Leave - During any period of FMLA leave, the City will continue to pay its portion, if any, of any group health insurance coverage for the employee on the same terms as if the employee had continued to work. Where applicable, the employee must timely pay his or her share of health insurance premiums while on FMLA leave. The City may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave, unless the employee is unable to return due to a serious health condition or something else beyond the employee’s control. Medical certification is required under such circumstances.

The employee’s use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the employee’s leave, and seniority will not be affected. However, benefit accruals, such as vacation and sick leave, will be suspended during any unpaid leave.

J. TMRS - Employee contributions to TMRS may be made on a voluntary basis through a special arrangement with the City while an employee is in a leave without pay status. It is the employee’s responsibility to initiate such an arrangement by timely contacting the City’s Human Resources Division and completing the necessary paperwork.

K. Job Restoration After FMLA Leave - Upon return from FMLA leave, an employee will be restored to his/her original job or to an equivalent job with equivalent pay, benefits, and other terms and conditions.

L. Leave Due To Birth/Adoption - FMLA leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement. In addition, if an employee and the employee’s spouse are both employed by the City, both are jointly entitled to a combined total of 12 work weeks of family leave for the birth or placement of a child for adoption or foster care, or to care for a parent (but not a parent-in-law) who has a serious health condition.

M. FLSA Considerations. Salaried executive, administrative, professional and other employees of the City who meet the Fair Labor Standards Act (FLSA) criteria for exemption from overtime do not lose their FLSA-exempt status by using any unpaid FMLA leave.

N. Other Employment. Under no circumstances may an employee on FMLA leave, sick leave, disability leave, or workers’ compensation leave engage in outside employment as defined in the Outside Employment Policy.

O. Other Provisions. The FMLA does not affect any federal or state law prohibiting discrimination. This policy is intended to explain benefits available to eligible employees under the FMLA. It is not intended to create any rights to leave beyond those created by the FMLA. If additional information is needed on the FMLA, please contact the Human Resources Division. When an employee gives notice of the need for FMLA leave, the employee will be given additional information as to his or her rights and responsibilities under the FMLA. Employees on FMLA leave are required to check-in to the Human Resources Division on a weekly basis to
keep the City informed of an employee’s situation unless the employee is medically unable to call-in.

P. Definition of Serious Health Condition. For purposes of this policy, incapacity refers to the inability to work, attend school or perform other regular daily activities due to a serious health condition, treatment therefore, or recovery therefrom. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves:

1. Inpatient care, which is an overnight stay in a hospital, hospice, or residential medical-care facility and includes any period of incapacity or any subsequent treatment in connection with such inpatient care; or

2. Continuing treatment by a health care provider, which includes any one or more of the following:

   (A) Incapacity and treatment, which is a period of incapacity of more than three consecutive, full calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:

      (i). Treatment two or more times, within 30 days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or

      (ii). Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider. A regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen); Or

For purposes of this section, “treatment by a health care provider” means an in-person visit to a health care provider, the first of which treatment visit must take place within seven (7) days of incapacity.

   (B) Any period of incapacity due to pregnancy or for prenatal care. For example, an employee who is pregnant may be unable to report to work because of severe morning sickness.

   (C) Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:

      (i) Requires periodic visits (at least twice per year) for treatment by a health care provider, or by a nurse under direct supervision of a health care provider;

      (ii) Continues over an extended period of time (including recurring episodes of a single underlying condition); and
(iii) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

(D) A period of incapacity which is **permanent or long-term due to a condition for which treatment may not be effective**. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer’s, a severe stroke, or the terminal stages of a disease.

(E) Any period of absence to receive **multiple treatments** (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive full calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

(F) Substance abuse may be a serious health condition if the conditions of this section are met. However, FMLA leave may only be taken for treatment for substance abuse by a health care provider or by a provider of health care services on referral by a health care provider. On the other hand, absence because of the employee’s use of the substance, rather than for treatment, does not qualify for FMLA leave.

(G) Abseces attributable to incapacity for pregnancy or prenatal care are for chronic conditions even though the employee or the covered family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three consecutive, full calendar days. For example, an employee with asthma may be unable to report for work due to the onset of an asthma attack or because the employee’s health care provider has advised the employee to stay home when the pollen count exceeds a certain level. An employee who is pregnant may not be able to report to work because of severe morning sickness.

Q. **Examples of Situations that are NOT Serious Health Conditions.**

1. Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not “serious health conditions” unless inpatient hospital care is required or unless complications develop.

2. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave.

3. A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids,
exercise, and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FMLA leave.

4. “Treatment” does not include routine physical examinations, eye examinations, or dental examinations.

5. Restorative dental or plastic surgery after an injury or removal of a cancerous growth would be considered a serious health condition if all other conditions of this policy are met.

R. Notice -- In addition to this policy, please read the following notice of Employee Rights and Responsibilities Under the Family and Medical leave Act:
EMPLOYEE RIGHTS AND RESPONSIBILITIES
UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement
FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:
• For incapacity due to pregnancy, prenatal medical care or child birth;
• To care for the employee’s child after birth, or placement for adoption or foster care;
• To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition; or
• For a serious health condition that makes the employee unable to perform the employee’s job.

Military Family Leave Entitlements
Eligible employees whose spouse, son, daughter or parent on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*, or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

*The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition”.

Benefits and Protections
During FMLA leave, the employer must maintain the employee’s health coverage under “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

Eligibility Requirements
Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

*Special hours of service eligibility requirements apply to airline flight crew employees.

Definition of Serious Health Condition
A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave
An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave
Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer’s normal paid leave policies.
Employee Responsibilities
Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer’s normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities
Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees’ rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee’s leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers
FMLA makes it unlawful for any employer to:
• Interfere with, restrain, or deny the exercise of any right provided under FMLA;
• Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement
An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. §825.300(a) may require additional disclosures.
FITNESS FOR DUTY AND HEALTH/MEDICAL EXAMINATIONS

The City endeavors to provide a safe work environment for all employees. It is the responsibility of each employee to maintain the standards of physical and mental health fitness required for performing the essential functions of his or her position, either with or without reasonable accommodation.

A. Serious Health Condition/Disabilities - The City recognizes that employees with a potentially life-threatening and/or infectious illness or physical and/or mental disabilities may wish to continue to engage in as many of their normal pursuits as their condition allows, including their employment. As long as these employees are able to perform the essential functions of their job, with or without a reasonable accommodation, without creating an undue hardship, and medical evidence indicates that their condition is not a direct threat to themselves or others, the City will treat them consistently with other employees.

B. Medical Exams for Current Employees - The Human Resources Division may require a current employee to undergo a medical and/or psychological examination to determine fitness for continued employment; as may be necessary in order for the City to provide a reasonable accommodation; following an injury or accident; and as otherwise permitted in accordance with the Americans with Disabilities Act.

C. Time Off From Work - Time away from work under this policy will normally be coded to paid administrative leave but may be retroactively changed to sick leave, Family Medical Leave Act leave, and/or other leave as circumstances warrant.

D. Return to Work/Fitness for Duty – Whenever an employee has been away from work for more than five (5) consecutive days due to a physical or mental condition, the employee is required to provide the Human Resources Division with a doctor’s statement that he or she is fit to return to duty without restrictions or listing any restrictions. Before returning to work following a medical and/or psychological examination under this policy, the employee must coordinate his/her return through the Human Resources Division.
FRAUD PREVENTION

It is the intention of the City of Hutto to establish standards and requirement for employees with respect to fraud prevention and detection, and to respond to allegations of fraud in connection with City programs, functions or activities. City management and all City employees share responsibilities to maintain a fair, honest and ethical business environment for employees, suppliers, citizens and persons that have a business relationship with the City. This cooperative effort is intended to eliminate fraud from the City’s business operations.

This policy applies to any fraud, or suspected fraud, involving employees, supervisors, managers, elected officials, consultants, vendors, contractors, any outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with the City.

All employees are expected to maintain a high level of personal and professional conduct on the job. As a public service organization and stewards of public funds, the City holds its employees to a high standard of ethical conduct relating to the use of City resources. All employees shall avoid fraud and are expected to report possible fraudulent activity or any internal/external practices that may allow for or facilitate fraudulent activity. Reports can be made to the City’s Finance Director, City Manager, or the employee’s supervisor or Division Director (“City Officer”).

Supervisors and managers have a greater responsibility to uphold this policy. They are expected to initiate appropriate preventative measures, implement the necessary controls and initiate investigations by promptly reporting allegations to the City’s Finance Director or City Manager. In addition, they are responsible for determining and enforcing disciplinary action with the assistance of Human Resources.

Employees should be aware of the City’s “zero tolerance” policy regarding fraud. This includes the individual committing fraud or those with knowledge of a fraudulent act who does not act in accordance with this policy.

An employee shall immediately report concerns of possible fraud to his or her supervisor for appropriate action. Immediately shall mean as soon as the employee has the means to make a report but no longer than 24 hours after the employee becomes aware of the suspected fraud.

A City employee who is contacted by citizens with evidence or written allegations of fraud shall immediately report it to a City Officer.

Department Directors or supervisors will immediately report allegations or concerns of fraud to the Finance Director or City Manager prior to taking any action to investigate the allegations or to discipline an employee.
FUNERAL/BEREAVEMENT LEAVE

The City provides regular full-time employees paid time off, up to a maximum of 3 work days per calendar year in the event of a death(s) in the family, for the purpose of attending the funeral. For the purpose of authorizing funeral/bereavement leave “family” is defined as current spouse, child, parent, brother, sister or grandparents by blood or marriage. An employee may be required to provide proof of death/funeral/family relationship in support of bereavement leave.

The Department Director may, under special circumstances and on a case by case basis, grant bereavement leave for other than immediate family members.

Bereavement leave pay is paid at the employee’s base rate at the time of absence. It does not include overtime or any special forms of compensation. Paid time off for bereavement leave is not counted as hours worked for purposes of determining overtime. Employees who are on approved funeral/bereavement leave will continue to accrue vacation and sick leave.

Employees who wish to take bereavement leave must notify their supervisor immediately, and all bereavement leave time taken must be requested on the City’s Leave Request form.

Employees who require leave beyond the 3 work days per calendar year of funeral/bereavement leave must use either accrued sick or vacation time and acquire approval of the Department Director.
GIFTS

The City strives to treat employees, citizens and individuals conducting business with the City in a fair and equitable manner. An employee (and his/her relatives and significant others) may not accept an honorarium or receive any income or other material gain from anyone outside the City for services provided by the employee because of the employee’s position or official duties with the City.

Individual City employees are prohibited from soliciting for personal gain, accepting or agreeing to accept any gift, gratuity, favor, benefit or anything else of value from any person, organization, or other entity who has done business, is doing business, or seeks to do business, with the City. However, an employee who accepts the following types of gifts will not be in violation of the prohibition on accepting any gift or thing of value:

- an award publicly presented in recognition of public service
- an occasional meal where public business is discussed
- tee-shirts, caps and other similar promotional material
- any gift which conferred on account of a personal, professional, or business relationship independent of the employee’s status as a city employee

Routine food coupons, frequent flier awards, discounts and other promotional items awarded to employees while carrying out City business may be accepted by employees and will not be considered a violation of this policy due to the administrative difficulty and cost involved in recapturing the discount or award for the City. If the item is non-routine, or of more than minimal value, the employee must check with his or her supervisor to see if the item should be returned, or in the alternative, turned over to the City.

Employees may not give their supervisor or anyone else in City management any gift or other item of more than a minimal value. If offered, supervisors may not accept such gifts or other items. Giving and accepting cards, food items (such as cakes and cookies) or token gifts for birthdays, Bosses’ Day, holiday celebrations, bereavement or similar events is not a violation of this policy.

The City takes this policy very seriously and violations may result in disciplinary action up to and including termination of employment. Any questions regarding the prohibitions imposed by this policy generally, or in connection with a specific situation, should be directed to the Human Resources Division.
GROUP HEALTH CONTINUATION COVERAGE

COBRA is a federal law that requires most employers who sponsor group health plans to offer employees and their families the opportunity to temporarily extend their group coverage at group rates in certain instances where coverage under the employer’s group health plan would otherwise terminate. The employee is responsible for paying for the cost of any such continuation coverage, plus a small administration fee that will not exceed 2% of premium.

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

Detailed COBRA notices are given to employees when an employee becomes eligible for participation in the City’s group health plan and again when a qualifying event occurs. For more complete information on COBRA and your health plan, you should contact the Human Resources Division.
HOLIDAYS

The City provides paid holidays to regular part-time and regular full-time employees. Every other employee is extended the official holiday, but without pay. The following official holidays will be observed:

- New Year’s Day: January 1
- Martin Luther King Day: Third Monday in January
- Presidents Day: Third Monday in February
- Good Friday: Friday before Easter
- Memorial Day: Last Monday in May
- Independence Day: July 4
- Labor Day: First Monday in September
- Veteran’s Day: November 11
- Thanksgiving Day: Fourth Thursday in November
- Thanksgiving Friday: Fourth Friday in November
- Christmas Eve Day: December 24
- Christmas Day: December 25

Holidays - A holiday is a period of 8 hours, paid at the employee’s regular rate in the case of a regular full-time employee. For a regular part-time employee, a holiday is a period of 4 hours, paid at the employee’s regular rate.

Scheduling of Holiday - Holidays occurring on Saturday normally will be observed on the preceding Friday and holidays occurring on Sunday will normally be observed on the following Monday.

Eligibility for Holiday Pay - Regular full-time employees are eligible for holiday pay.

Regular Part-time Employees - Regular part-time employees who work 18-20 hours or more per week are eligible to receive holiday pay in the amount of 4 hours.

Temporary and Seasonal Employees - Temporary and seasonal employees will be paid their regular hourly rates for a holiday only if required to work on a holiday. No holiday pay is authorized for seasonal or temporary employees who do not work on a holiday.

Employees required to work on a Holiday – Regular full-time non-exempt employees required to work on a holiday will be paid 8 hours for the holiday at their regular rate of pay in addition to the hours worked.

Sworn Personnel and Banking Holidays – Non-exempt, sworn personnel in the Police Department may opt either for holiday pay or for the time equivalent to the holiday to be added to their accrued holiday bank. Banked holiday time shall expire on September 30th of each year. Employees shall be permitted by the employee’s supervisor to use such time within a reasonable period after making the request, provided the banked holiday time does not unduly
disrupt the operations of the city. Any unused banked holiday time will be paid out to the employee on September 30th of each year.

**Employees Scheduled “Off Duty” on a Holiday** - When a holiday and an employee’s regularly scheduled day off occur on the same day, regular full-time employees will be paid 8 hours for the holiday at their regular rate of pay and regular part-time employees will be paid 4 hours at their regular rate of pay.

**Ineligibility for Holiday Pay** - Employees on unpaid leave are not eligible for holiday pay. Likewise, non-exempt employees who are absent without authorized leave on the day immediately preceding or following a scheduled holiday will not be paid for the holiday.

**Holiday Occurring During Vacation Leave** - A holiday that falls within an employee’s vacation period will be counted as holiday in lieu of a day of vacation.

**Separating Employees** - Except in extraordinary situations, separating employees will not be allowed to use a holiday as their final day of employment. Exceptions must be scheduled and authorized in advance by the Department Director.

**Paid Leave Status** - An employee on a paid leave status will normally be paid holiday pay in lieu of the leave status pay they would ordinarily receive at the time of the holiday.

**Other Religious Holidays** - To be supportive and respectful of diversity in the workplace, employees may request to substitute a designated holiday and opt to observe alternate holidays for religious purposes.

**Holiday Pay During Workers’ Compensation Leave** - An employee on worker’s compensation leave will not receive holiday pay. However, an employee on injury leave will receive holiday pay.
INCLEMENT WEATHER/EMERGENCY CLOSING

Except for extraordinary circumstances, City offices DO NOT CLOSE. All City employees, whether exempt or non-exempt, are expected to make a sincere effort to report to work during inclement weather conditions or other emergency situations.

If an employee determines that the weather conditions constitute a danger to life and/or property, the employee must notify his/her immediate supervisor and/or Department Director and make arrangements to report to work if weather conditions improve. Any leave taken due to inclement weather can be flexed or charged to vacation. Regular full-time and part-time non-exempt employees who are unable to flex their time and who have no accrued vacation time available will not be paid for the time missed.

The Department Director/immediate supervisor is responsible for seeing that City services are staffed while City offices are open for business during inclement weather or emergency conditions. Any City service that cannot be provided during inclement weather or other emergency conditions must be immediately reported to the City Manager’s Office.

When weather or other conditions are such that the City Manager declares certain City offices/departments officially closed, all affected personnel, i.e., those non-essential employees who were scheduled to work during the time of closure, will be granted “paid administrative leave” for the time the office/department is closed. Essential personnel must report to work even when other City departments are officially closed due to weather or other type of extraordinary circumstances. Essential personnel required to be on the job regardless of adverse weather or other conditions are designated by the Department Director and/or the City Manager. Essential personnel who fail to report to work may be subject to disciplinary action up to and including termination of employment. The City Manager may authorize emergency pay at the rate of one and one-half times the employee’s regular rate of pay for non-exempt essential personnel.
INJURY LEAVE (ON THE JOB)

An employee injured in the line of duty shall receive workers’ compensation or injury leave benefits under the terms and conditions prescribed in the applicable programs and as required by law.

A. Procedures - Injury leave will run concurrently with FMLA leave (see the section entitled Family and Medical Leave). An employee must report any job-related injury, however minor, to his/her supervisor as soon as possible, but no later than 24 hours (see the section entitled Accident Reporting). Time lost because of a substantiated and documented work related injury sustained during the course of employment shall not be charged against the employee’s sick leave. During such absence, sick leave and vacation shall continue to accumulate.

The Human Resources Department shall contact the employee’s physician to determine whether the injury will allow an employee to perform modified work or other duties.

B. Programs

1. Workers’ Compensation - Workers’ Compensation Law provides that an employee who suffers a disability that results in lost duty days due to an injury while in the course of their employment is entitled to “Income Benefits.” These income benefits are calculated at a rate of at least 70% of the employee’s weekly income prior to the injury. The worker must be disabled by the injury for at least seven (7) days to be eligible for income benefits.

2. City Injury Leave Benefit - This benefit provides employees injured on the job the added security of receiving no reduction or interruption in salary for 13 weeks. Injury leave granted to an employee will be put in writing and forwarded to the Human Resource Division for proper payroll processing and placement in the employee’s confidential medical file. Injury leave benefits will begin from the time an employee begins to lose time due to an on-the-job injury and will continue for 91 calendar days (13 weeks). An employee on injury leave will continue to collect full salary payment from the City. An employee on injury leave may be required to undergo regular examinations by a physician of the City’s choice. The employee may be assigned to light duty. An employee on injury leave is required to turn over to the city all checks paid to him/her for income benefits from Workers’ Compensation. The City will monitor payments made to the employee by the workers’ compensation insurance carrier to insure that all disbursed salary related checks have been turned over to the City.

Any failure by the employee to turn over the checks paid to him/her for workers’ compensation income benefits while receiving the City injury leave benefit will result in the City withholding any injury leave pay due the employee and the employee will, by such action, forfeit any and all further injury leave pay or benefits.
INSURANCE

It is the goal of the City to provide full-time employees with a comprehensive benefits package that may include, medical, dental, disability and life insurance for each full-time employee. The Human Resources Division will evaluate the benefits being provided on an annual basis as part of the budget process and make recommendations to the City Manager. This insurance is effective so long as the employee remains on the full-time payroll.

Insurance coverage for an employee’s eligible dependents will be made available at the employee’s expense.

The City also carries a workers’ compensation insurance policy. In cases of job related injuries, provisions and benefits available under workers’ compensation are activated.

The City shall offer its retirees, age 64 and under, who were participating in the City’s health plan at the time of their retirement, the option to purchase continued health benefits coverage at a retiree calculated rate. Currently, retirees are allowed to participate in the City’s health care plan at the same premium rates as active employees. If this benefit is revised to require that active employee and retiree insurance premiums be separately determined, the retiree premiums could increase significantly and the City will require that retirees pay for their insurance at the higher rate.

Retirees, age 65 and older, will not be eligible to continue the City’s health plan.

The City reserves the right to alter, reduce, or eliminate any benefit at any time.
JURY DUTY

The City provides paid administrative leave to regular full-time employees required to serve on jury duty or requested to testify as a witness by the City in a City-related civil, criminal, legislative, or administrative proceeding. Court appearances for testimony, investigation, and court preparation as a result of official duties as a City employee (e.g., police, inspections, animal control, etc.) are compensated as actual hours worked and are not classified as paid administrative leave.

In all other cases, employees are required to schedule vacation; otherwise a non-exempt employee’s time off will be considered a leave without pay.

The employee must provide documentation of the requirement for jury duty, subpoena compliance, etc., with his/her leave request. Employees must submit a Leave Request form, along with supporting documentation to their supervisor as soon as possible so that arrangements can be made to accommodate the absence.

Employees on jury duty leave should keep up with their job responsibilities if possible. An employee who is on jury duty typically must report for City duty for the remainder of the day upon completion of court or jury service or request approval for use of other available paid time off. Any payment for jury duty received by the employee may be retained by the employee.

Jury duty leave is paid at the employee’s base rate at the time of leave and does not include overtime or any other special forms of compensation. Jury duty leave will not be counted as hours worked for purposes of calculating overtime.
LIGHT DUTY ASSIGNMENTS

The City may make light duty assignments available to ill or injured employees who are unable to perform their regular job duties. The decision to offer an employee a light duty assignment is made in the City’s sole discretion. A light duty assignment may be in the employee’s own or another department in the City. Factors considered by the City in making its decision include, but are not limited to: the nature of the employee’s illness or injury; the medical release provided in support of light duty; the risk that a light duty assignment may result in aggravation of the employee’s injury or illness; the type of light duty work available; the length of the employee’s employment with the City; the employee’s performance and disciplinary history; and whether the illness or injury occurred on or off duty. In making light duty assignments, the City will normally give priority to employees whose injury or illness is work-related.

Employees who are released for and given a light duty assignment may not perform work duties in violation of their medical release. An employee who violates the terms of his/her medical release while on a light duty assignment may lose the light duty assignment and, in addition, may be disciplined up to and including termination of employment.

Light duty will not extend beyond sixty (60) calendar days from the date of injury without an evaluation by the employee’s treating physician and a recommendation from the Department Director and Human Resources Division to the City Manager. Only the City Manager may approve an extension of a light duty assignment. Employees still unable to return to regular duty within sixty (60) calendar days from the date of injury must re-qualify for limited duty through evaluation by their treating physician or revert to workers’ compensation indemnity payment, accumulated sick leave, Family Medical Leave Act (FMLA) or vacation benefits, if available.

An employee who is released for and offered light duty by the City, but who elects not to accept such an assignment, will be ineligible for paid sick leave benefits under the City’s Sick Leave Policy and salary continuation benefits under workers’ compensation, but may still be entitled to unpaid leave under the City’s FMLA policy.

During a light duty assignment, employees will typically work an 8-hour workday, Monday through Friday. This means those 24-hour shift employees, as well as other employees who work a non-traditional schedule, will usually be temporarily reassigned to an 8-hour workday, Monday through Friday, for the duration of their light duty assignment. An employee’s salary during any light duty assignment shall be at the same rate as the salary received prior to the injury. An employee on light duty assignment may not work on-call or overtime.

All light duty requests and assignments will be reviewed by and coordinated through the Human Resources Division. The Human Resources Division will work with the employee’s department in making its decision whether light duty work will be offered. Before returning to regular job duties following a light duty assignment, the employee must coordinate his/her return through the Human Resources Division.
LONGEVITY PAY

The City provides regular full-time employees longevity pay. Longevity pay begins after a regular, full-time employee has completed one year of service. Longevity will be computed by multiplying the number of months of service completed on December 31st of each year, times the monthly longevity rate accrued. The monthly longevity rate is determined by the schedule below.

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Rate per Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-4</td>
<td>$5</td>
</tr>
<tr>
<td>5-9</td>
<td>$7</td>
</tr>
<tr>
<td>10+</td>
<td>$9</td>
</tr>
</tbody>
</table>

Longevity pay will be paid annually during the first quarter of the City’s fiscal year on a date to be determined by the Finance Department. Longevity pay is not an accrued benefit payable upon termination of employment. The person must be an employee of the City at the time the annual longevity payment is made in order to receive the payment.
MANAGEMENT AUTHORITY

General and final authority for personnel administration rests with the City Manager with the exception of matters reserved to the City Council by State law or the City Charter.

A. Management Authority - The City may modify, revoke, suspend, interpret, terminate, or change any or all of its policies and procedures, in whole or in part, at any time. The issuance of these policies and procedures does not constitute a contract between the City and its employees for any duration of employment. There is no specified length of employment, and either the City or the employee can terminate the employment relationship at any time, for any reason. Policy administration rests with City management and City management reserves sole authority to administer City operations.

B. Departmental Policy and Procedural Requirements - Individual City departments may develop policies and procedures that are consistent with City policies and procedures. Department policies and procedures that are operational and that do not relate to those in this handbook, or other approved operational manuals, do not need to be reviewed and approved by the Human Resources Division. All others, however, are subject to approval by the City Manager. Department Directors are responsible for obtaining the necessary review and approval prior to issuing such departmental policies and procedures. Departmental policies and procedures will not become effective unless they have been reviewed and approved in accordance with this policy.

C. Miscellaneous - Policies and procedures apply to all employees of the City, both on and off duty where applicable, unless otherwise indicated, restricted by proper authority, or prohibited by State and/or Federal law.

Only the City Manager has the authority to enter into an employment agreement, promise, or commitment contrary to these policies and procedures, and all such agreements, promises, and/or commitments entered into by the City Manager must be contained in an express written employment contract signed by both the City Manager and the affected employee.

Any statement in a policy and/or procedure found to be illegal, incorrect, and/or inapplicable will not affect the validity and intent of the remaining content of such policy or procedure. Titles utilized do not govern, limit, modify, or affect the scope of meaning or intent of any provision.

Any conflicts, questions, or ambiguities in City or departmental policies and procedures will be decided by the City Manager.

The City Manager may delegate rights and powers granted under these polices and procedures to management level staff or to others as deemed appropriate in the City Manager’s sole discretion.
MEDIA POLICY STATEMENT

From time to time, as an employee of the City of Hutto, you may receive inquiries from the media (e.g., newspapers, television stations, radio stations, magazines, or other periodicals). To ensure that the City of Hutto maintains the appropriate public image and that communications to the media are accurate and in line with applicable City policy, if you are contacted by the media, you should refer the individual making the inquiry to the City Manager. In some cases, the City Manager may give specific authorization to a particular employee to respond to the media. Unless such authorization is specifically given by the City Manager, no employee other than the City Manager may give statements to any representative of the media. The City Manager has authorized those positions that are considered Department Directors and above to provide information to the media in their area of expertise and advise the City Manager of the communication that transpired.
MILITARY LEAVE

The City complies with all state and federal laws relating to employees in reserve or active military service and does not discriminate against employees who serve in the military. Temporary employees who have brief or non-recurrent positions with the City and who have no reasonable expectation that their employment with the City will continue indefinitely or for a significant period of time are generally ineligible for extended paid military leave in excess of 15 days, reemployment rights, or any other military leave benefits under this policy.

This policy covers employees who serve in the uniformed services in a voluntary or involuntary basis, including active duty, active duty for training, initial active duty for training, inactive duty training, and full-time National Guard duty.

A. Notice to City of Need for Leave - Employees must provide as much advance written or verbal notice to the City as possible for all military duty (unless giving notice is impossible, unreasonable, or precluded by military necessity). Absent unusual circumstances, such notice must be given to the City no later than 24 hours after the employee receives the military orders. To be eligible for paid military leave, employees must complete and submit a City of Hutto Leave Request form along with the official documents setting forth the purpose of the leave and, if known, its duration. The Leave Request Form must be turned into the Department Director and the Human Resources Division as far in advance of the leave as possible.

B. Paid Leave & Benefits for Training and Duty

1. Full Pay For Up to 15 Days - Employees will be paid for military absences of up to a maximum of 15 work days per federal fiscal year. This leave may be used when an employee is engaged in National Guard or U.S. armed forces reserve training or duty ordered or approved by proper military authority. The paid leave days may be consecutive or scattered throughout the year.

2. Other Paid Leave - Employees who have exhausted all available paid military leave may, at their option, use any other available paid leave time (i.e., vacation leave, holiday leave and compensatory time) to cover their absence from work.

3. Unpaid Leave - After an employee has exhausted all available paid military leave (including any other paid leave time that the employee chooses to use to cover a military absence), the employee will be placed on leave without pay.

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

   a. Medical and Dental. While an employee is on paid military leave (or any military leave of less than 31 days), the City will continue to pay its portion of the monthly premium for group health benefits. When military leave is unpaid, the employee may elect to continue group health coverage for up to 24 months following separation of employment or until his/her reemployment rights expire, whichever event occurs first, for him/her and
eligible dependents. Employees must pay 102% of the applicable premium to cover the cost of elective continuation coverage under the City’s group health plan.

Upon an employee’s return to employment following military service, the City will provide health insurance coverage immediately, even if a waiting period is normally required for new or returning employees. In addition, a returning employee will not be subjected to exclusions from coverage unless the exclusions apply to injuries or conditions that were incurred as a result of military service.

b. Other Benefits. While on paid military leave, employees continue to accrue vacation, sick leave and other benefits provided to other employees on paid leave. The City will also continue to pay the premium for any City-provided life insurance while the employee is on paid military leave. While on unpaid military leave, employees are generally ineligible for most City-provided benefits. Benefits, such as vacation and sick leave, do not accrue while an employee is on unpaid leave, including unpaid military leave. While on unpaid military leave, benefit accruals will be suspended and will resume upon the employee’s return to active employment. Once an employee returns to work following an unpaid leave, he/she will be treated as though he/she was continuously employed for purposes of determining benefits based on length of service, such as vacation accrual and longevity pay.

c. TMRS. Typically, an employee’s period of uniformed service is deemed to constitute service for purposes of vesting and benefit accrual. Thus, employees earn service credit for time spent on active duty military leave. Service time is credited when an employee returns to work. To qualify for service credit, an employee must: return to work for the City within 90 days after discharge; receive an honorable discharge; and timely complete the necessary application. In order to receive monetary credit, an employee has the lesser of 5 years or 3 times the length of the military service to make up any TMRS contributions that were missed while on military leave.

D. Returning from Leave

1. Reemployment Rights - Employees who complete their military service will be re-employed in accordance with federal law.

2. Deadline to Notify City of Intent to Return to Work - The deadline for an employee to return to work and/or notify the City that he/she intends to return to work following military leave is ninety (90) days from the date of discharge. This deadline may be extended for 2 years or more when an employee suffers service-related injuries that prevents him/her from applying for reemployment or when circumstances beyond the employee’s control make reporting within the time limits impossible or unreasonable.

3. Required Documentation - To qualify to return to work, an employee returning from leave must provide documentation of the length and character of his/her military service. Also, evidence of discharge or release under honorable conditions must be submitted to the City if the military leave lasted more than 31 calendar days.
NEPOTISM

In order to prevent conflicts of interest, to avoid accusations and perceptions of biased conduct, and to maintain the confidentiality of restricted information, it is the policy of the City that:

A. Applicants

- An applicant related to the City Manager by blood or marriage within the first or second degree according to common law shall not be employed by the City.

- An applicant related by blood or marriage within the first or second degree according to common law to any member of the City Council shall not be employed by the City.

- Under no circumstances will an applicant be employed in a department in which he or she may directly or indirectly supervise or be supervised by a member of his or her immediate family. Immediate family includes spouse, parents, children, brother or sister.

First Degree: Mother
Father
Sister
Brother
Son
Daughter
(or) in-law

Second Degree: Uncle
Aunt
Nephew
Niece
Grandfather
Grandmother
Granddaughter
Grandson
1st Cousin
(or) in-law

B. Promotion - In the event of a proposed promotion, any employed family member of a person considered for promotion must agree to immediately tender his/her written, conditional resignation before the candidate will be formally considered for the proposed promotion if said promotion would create a violation of the Nepotism policy. If the candidate is selected for and chooses to accept the promotion, the conditional resignation becomes final. Normally, once final, any such resignation will not become effective until ninety (90) days after the promotion takes effect.

C. Reorganization - In the event of a reorganization, or any other situation (other than a promotion) giving rise to a relationship prohibited by this section of the policy, the lower ranking employee will be required to immediately resign his/her employment. If both employees are of
an equal rank, one of them will be required to immediately resign his/her employment. Normally, any such resignation will not be effective until ninety (90) days after the engagement, reorganization, etc., occurs.

D. Other Restrictions - The following restrictions apply on the employment of any relative, including those defined as family members under this policy:

- No employee in the relationship will supervise, review or process the work of the other;
- The employees’ relationship must not create a conflict between employees/ City interests; and
- There must be no interdependence or relationship between the jobs of the individuals concerned which could be potentially detrimental to the interests of the City.

Relatives will not normally be permitted to work in the same department with each other without prior written authorization from the City Manager (or designee). In addition, written authorization must also be obtained from the City Manager (or designee) to employ any relative of a current City employee.

E. Marriage of Current Employees - In the event of a marriage between two City employees, a promotion, reorganization, or any other situation giving rise to a relationship prohibited by this policy, one or both of the affected employees must immediately seek a transfer to another available position within the City for which he or she is qualified and that meets the requirements of this policy. If a suitable transfer cannot be made within ninety (90) days of the event giving rise to a relationship prohibited by this policy, one or both of the affected employees will be required to resign from employment.

F. Grandfather Clause - The City is aware that, as of the effective date of this policy, there are City employees that are related, by blood or by marriage, to other City employees. These employees will be “grandfathered” under this policy, meaning they will be permitted to continue their employment with the City as long as the requirements set out in subsection B of this policy are met. Please be informed that the grandfather provision is for family relationships as they exist as of the revision date of this policy. Any future changes to the family relationship and/or the employment status of the affected employee(s) will be governed by the requirements of this policy.

G. Periodic Review - Periodically, the City Manager (or designee) will review the job descriptions and interrelationship between the affected jobs and determine whether they meet the requirements set out in this policy. If one or more of these requirements are not met, one or both of the affected employees must immediately seek a transfer to another available position within the City for which he or she is qualified. If a suitable transfer cannot be made within ninety (90) days, one or both of the affected employees will be required to resign from employment.
H. Application of Policy - This policy applies to all full-time, part-time and temporary seasonal employees of the City.
ON-CALL & CALL BACK COMPENSATION
(Non-exempt Employees)

The City provides for after-hour service needs by allowing some departmental operations to designate certain non-exempt employees to be on-call. Employees designated to be on-call are expected to respond to departmental after-hour service needs as required by procedures established by their Department.

For a non-exempt employee to be designated as officially on-call:

- The employee must wear a digital pager and/or cell phone for City communication purposes.
- The employee must respond within the established response time for their Department.
- The employee must be designated as on-call personnel on a schedule approved by their Department Director.

A. Return to work provisions - After regularly scheduled working hours, on-call employees are free to pursue personal activities but must respond to a call back (via paging, telephone, or radio) within designated guidelines set by their Department. Employees designated as on-call must be fit, both mentally and physically, to accomplish on-call services needed within the time frame required.

B. Compensation - On-call status is not considered time worked, however a daily stipend of $25.00 per day shall be paid to those employees designated as on-call employees. For holidays observed by the City, a daily stipend of $40.00 per day shall be paid to those employees designated as on-call employees. Should the holiday fall on a weekend day, the designated on-call employee shall receive a $40.00 a day stipend for the actual holiday as well as the day observed by the city.

On-call employees called back to the workplace will be paid at their regular rate of pay for actual hours worked. Time worked immediately after regularly scheduled working hours at the request or approval of the supervisor will not be considered call-back and is paid at the employee’s regular rate of pay until overtime requirements are met. Continuing work on a call-back that extends beyond the one hour minimum and into a day off does not entitle the employee to additional premium pay. Travel time to and from a call-back is compensable under this policy if the call-back is due to situation that requires immediate attention and is unscheduled. Travel time to and from the work site performing regularly scheduled rounds is not compensable. On-call procedures will be conducted in accordance with departmental policy and such policy must be approved by the City Manager. On-call employees who do not return to the workplace but who handle a workplace issue by phone will be paid for actual time spent on the phone. In all cases, employees must report their actual hours worked on their time sheets. Employees exempt from overtime are not eligible for compensation under the provisions of this policy. The City will pay overtime as required by the Fair Labor Standards Act or other City policies regulating overtime.
C. **Departmental Policies** - Each Department has its own internal procedures for handling on-call services. Departments may establish guidelines for varying levels of response to call-back situations depending upon the nature and importance of the services to be completed.
OUTSIDE AND SELF-EMPLOYMENT

City employees may engage in outside or self-employment provided they receive prior written approval from the City Manager (or designee) on the City’s Outside and Self-Employment Form. Department Directors must also receive written approval from the City Manager prior to engaging in outside or self-employment.

Employees may not accept outside or self-employment that conflicts with the effective performance of the employee while on duty with the City, or conflict in any way with the best interests of the City. Other outside activities, such as volunteer activities, that might similarly distract from an employee’s ability to perform his or her job with the City are also prohibited.

An employee will not be covered by the City’s workers’ compensation insurance while working for another employer or while self-employed unless the employee is required to perform official City employment activities while engaged in such outside or self-employment.

Approval for outside or self-employment as set out in this policy does not authorize an employee on FMLA leave, sick leave, disability leave, workers’ compensation leave, or an unpaid leave of absence, to engage in any outside or self-employment. Under no circumstances may an employee on FMLA leave, sick leave, disability leave, workers’ compensation leave, or an unpaid leave of absence, engage in outside or self-employment.

For purposes of this policy, outside or self-employment includes a job, activity or enterprise (including self-employment) which constitutes a form of employment or business outside the responsibilities of employment with the City. This policy is not intended to cover volunteer work with a non-profit organization such as United Way, Girl Scouts, American Heart Association, faith based activities or similar activities where compensation is neither expected nor paid in the ordinary course of operations.
OVERTIME AND TIME MANAGEMENT

Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour requirements. Exempt employees are not paid overtime compensation.

A. Non-Exempt Employees - When the City’s operating requirements or other needs cannot be met during regular working hours, non-exempt employees may be scheduled to work overtime, at the request of their supervisor. When possible, advance notification of mandatory overtime assignments will be provided. Overtime assignments will be distributed as equitably as practical to all non-exempt employees qualified to perform the required work. Refusal or other failure to work mandatory overtime may result in disciplinary action up to and including termination of employment. Overtime work is otherwise subject to the same attendance policies as straight time work.

Non-exempt employees may not access city emails on a personal mobile phone. Supervisors are prohibited from sending work-related emails to a non-exempt employee’s personal email account (Gmail, Yahoo, etc…).

All non-exempt employees must receive their supervisor’s and Department Director’s prior authorization before performing any overtime work. This means employees may not begin work prior to their scheduled work day, and may not continue working beyond the end of their scheduled workday, without prior authorization from the appropriate supervisor. Similarly, employees may not work through their lunch break without prior authorization from the appropriate supervisor. On the employee’s time sheet, the appropriate supervisor must also approve any overtime before the time sheet is submitted for processing and payment. Non-exempt employees shall not remain on the work premises without authorization unless they are on duty or are scheduled to begin work within a short period of time. Non-exempt employees who work overtime without receiving proper authorization will likely be subject to disciplinary action, up to and including possible termination of employment.

Generally, overtime pay for non-exempt employees is at the rate of time and one half the “regular rate of pay for hours actually worked in excess of 40 in the City’s work week. (The work week begins at 12:01 a.m. on Monday and ends at 12:00 (midnight) the following Sunday. The City’s work week begins at 12:00 (midnight) on Sunday and ends at 12:00 (midnight) the following Sunday.) The “regular rate” is defined as the hourly equivalent of all straight time compensation received by an employee for work including all pay incentives, such as longevity, assignment pay, certification, etc. The FLSA formula is that an employee’s regular rate is the total “straight time” compensation received by the employee “for work,” divided by the number of hours that money is intended to compensate. Police officers are paid overtime based on the work cycle adopted by their Department under Chapter 142 of the Texas Local Government Code.

Paid vacation and paid holiday leave are not included as hours worked for purposes of determining eligibility for overtime pay. Time off on account of sick leave, jury duty leave, witness duty leave, bereavement leave, or any other leave of absence is not considered time worked for purposes of performing overtime calculations.
C. Flex-time Work Schedule - In situations where overtime payment is not feasible due to budgetary constraints, the Department Director or supervisor must consider flexing the employee’s work schedule in an effort to minimize the need for overtime compensation. Flexing must be completed within the same workweek or work cycle that the overtime was worked and must be accurately reflected on the affected employee’s time record.

D. Exempt Employees - Exempt employees are those who are not covered by the overtime requirements of the FLSA. Accordingly, exempt employees are not entitled to overtime compensation for work performed beyond 40 hours in a workweek. Exempt employees are expected to work at least forty (40) hours in each work week. In addition, exempt employees are expected to put in the hours necessary to complete their assignments with an acceptable level of quality in a timely manner. Exempt employees may be required to work in excess of 40 hours in certain weeks and are required to work a minimum of 80 hours in a two week pay period.

“Docking” an exempt employee’s pay for a partial day’s absence will be permitted only as authorized by law and approved by the Human Resources Division. Absent accrued paid leave time, an exempt employee need not be paid for any workweek in which he or she performs no work. For reasons of public accountability, the City will reduce an exempt employee’s pay or place an exempt employee on leave without pay for absences for personal reasons or because of illness or injury of less than one work day when vacation leave or sick leave is not used by the employee either because the employee did not request to use paid leave, has exhausted paid leave, or chooses not to use paid leave.

It is the policy of the City not to make improper deductions from an exempt employee’s pay. Any exempt employee who believes he/she has been, or likely will be, subject to an improper pay deduction, must immediately notify the Human Resources Division. The City will promptly reimburse an exempt employee for any improper deduction(s) and will make a good faith commitment to comply in the future.

E. Nursing Mothers — The City supports the practice of expressing breast milk and will make reasonable accommodations for the needs of employees who express milk. The City will provide reasonable break time for an employee to express milk for her nursing child for one year after the birth of the child each time the employee needs to express milk. A place shielded from view and free from intrusion will be provided for this purpose. Breaks for nursing mothers will be compensated time but will not be considered to be “hours worked” for purposes of calculating overtime. An employee will not be discriminated against because she has asserted her right to express milk.
PAYROLL

A. Payroll Deductions - The following deductions are authorized for payroll deductions:

- Social Security and Medicare contributions;

- Federal income tax withholding;

- Contributions to the Texas Municipal Retirement System;

- Contributions to the United Way;

- Contributions to the established deferred compensation (457) plan;

- Contributions to the established defined contribution 401(a) plan;

- Presently authorized medical insurance premiums;

- Presently authorized “other insurance” premiums;

- Hutto Police Officer Association (HPOA) membership dues;

- Wage garnishments

No other payroll deduction privileges are authorized at this time and no future payroll deduction privilege will be granted without the approval of the City Manager, except as otherwise provided by law.

B. Payroll Errors - Errors regarding payroll, including vacation and sick usage, must be reported to Finance in writing within 60 days after pay day. Corrections will be made effective the next regular pay date following report of error(s). If the error is not reported to Finance within the 60-day period, no correction will be made. The Finance Department reserves the right to make any necessary correction to payroll at any time to ensure accurate accounting records.

C. Direct Deposit Required - Employees are required to complete and deliver to the Finance Department the City’s direct deposit form so that payroll can be credited to the employee’s bank account to facilitate an efficient and accurate payroll process. Any changes to an employee’s direct deposit will be processed the next payroll after Finance has received the updated form.
PERFORMANCE EVALUATION SYSTEM

The City uses a thorough performance evaluation system for assisting supervisors in communicating job expectations, measuring the employee’s level of past performance, recognizing employee achievements and exemplary performance, and strengthening the supervisor-employee relationship. The performance evaluation system provides necessary information for management decisions including career development and training, assignments, advancements, transfers, disciplinary actions, retention, compensation, etc. The purpose of the performance evaluation system as outlined herein is to achieve optimum employee performance resulting in outstanding citizen service.

—A. Schedule—Regular full and part-time employees hired are eligible for:

1. An annual performance review for performance rendered during the fiscal year (October 1st – September 30th).

2. Newly transferred or promoted employees will receive a performance review after completing six months of service in their new position.

—B. Supervisory Responsibilities—All performance evaluation information must be written where required and forwarded to the Human Resources Division for retention in the employee’s official personnel file. An evaluation is considered complete at the time the employee signs and dates the evaluation document or the Supervisor and/or Department Director has a witness acknowledge the employee’s refusal to sign the evaluation document.

Supervisors will strive to clearly communicate all elements of job performance, key result areas, performance standards, measures, goals, strengths and areas of development needed by completing the Improvement Plan section of the evaluation. Each employee will sign and date a copy of his/her Performance Evaluation when it is reviewed, and the supervisor will forward the original performance evaluation to the Human Resources Division for filing in the employee’s official personnel file.

—C. Department Director Responsibilities—Department Directors are expected to ensure compliance with this policy and ensure that evaluating supervisors under their direction are adequately trained in the performance evaluation process. Department Directors are encouraged to review all Performance Evaluation documents for validity prior to the department supervisor conducting the performance evaluation with the affected employee, in order to correct any obvious errors or rating bias.
D. **Human Resources Division Responsibilities** - The Human Resources Division will review all evaluation documents for obvious errors and return them to the Department Directors for any clarifications or procedural corrections. The Human Resources Division is responsible for maintaining original evaluation documents in official personnel files and for timely processing of evaluations for any compensation due.

E. **City Manager Responsibilities** - The City Manager and/or designee will review all performance evaluation documents prior to the department supervisor conducting the performance evaluation with the affected employee to ensure the fair and equitable treatment of all City of Hutto Employees.

F. **Employee Responsibilities** - Employees are expected to be knowledgeable of their essential job functions and key result areas and maintain established performance standards and requirements as outlined. The Employee is requested to complete an Employee Performance Input Form which is an integral part of the evaluation process. Employees are encouraged to address issues and concerns regarding their annual performance evaluation with their evaluating supervisor. If the employee is unable to resolve his/her issues and concerns with the evaluating supervisor, the employee may address them with the Department Director; if the Department Director is the evaluating supervisor, the employee may go to the City Manager to address his/her concerns.
POLITICAL ACTIVITY

City employees will not be appointed or retained on the basis of their political support or activities. City employees are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies. City employees may not:

- During the time that the employee is on duty or making a public appearance in his/her capacity as a City employee, publicly endorse or campaign in any manner for any person seeking a City public office except that this policy does not prohibit a city employee from placing a yard sign on private property or from placing a bumper sticker on a private vehicle.

- Use his/her position or office to coerce political support from employees or citizens.

- Use his/her official authority or influence to interfere with or affect the result of a campaign issue, an election or nomination for public office.

- Use working hours or City property to be in any way concerned with soliciting or receiving any subscription, contribution or political service to circulate petitions or campaign literature on behalf of an election issue or candidate for public office in any jurisdiction.

- Contribute money, labor, time or other valuable thing to any person for City election purposes.

- Hold an appointive or elective office of public trust where service would constitute a direct conflict of interest with City employment, e.g. City of Hutto City Council and Williamson County Commissioner. Upon becoming a candidate or otherwise deciding to seek or assume such an office, an employee must immediately resign or will be dismissed upon failure to do so. Appointive or elective office may be held by an employee provided that: 1) it is a non-paid position; 2) the time required for the office held is not unreasonable; 3) the position held would not create a negative impact on the employee’s job performance; and 4) City Manager approval is obtained.

- Use the City’s internal mail system to distribute political advertising.
PRIVATE TELEPHONE

All supervisory personnel and service personnel must have a telephone number at which they can be reached during off-hours. No reimbursement shall be made to the employee for use of such employee’s private telephone.
PROMOTIONS

Positions to be filled shall be filled with City employees currently on the payroll when possible. This shall not prohibit the City Manager or other supervisory personnel from filling positions with persons not employed by the City.

Promotions shall be made upon the recommendation of the Department Directors with the approval of the City Manager.

Promotions shall be based on qualifications, proven performance, merit, and the ability to perform the duties and responsibilities of the position.

A promotion should not be deemed completed until a period of six months shall have elapsed. Should a promoted employee not successfully complete the six-month period, the employee is eligible to return to the previous position held, if available. If no position is available for which the employee is qualified, the employee will be terminated.
RECRUITMENT AND SELECTION

The City hires employees based solely on their knowledge, skills and abilities, experience, and other qualifications as they relate to the duties and responsibilities of a position without regard to race, national origin, religion, color, sex, age, citizenship, political affiliation, disability, or any other characteristic protected by law. City residents shall be given preference for employment, if all other considerations are equal. It is the desire and intent of management to provide promotional opportunities for employees of the City by offering assistance to interested employees in developing career plans and making applicable training and educational opportunities available.

A. Recruitment Requirements - The recruitment process is initiated by a Department Director or direct supervisor submitting a request of staffing to the Human Resources Division. Job vacancies will normally be posted internally for the benefit of any qualified employee. External recruitment may also be conducted during an internal posting.

After making a decision to hire, the hiring department must submit the appropriate paperwork to the Human Resources Division. Offers for City employment will be communicated by the Human Resources Division upon receipt of the hiring recommendation and all related paperwork.

The recruitment method for vacant director level positions may be determined by the City Manager on a case by case basis.

The Police Department uses a separate recruitment process for police officers.

B. Applications – Anyone (including individuals who have been previously employed by the City and are eligible for rehire) seeking employment with the City must complete and submit an official City application for the position desired. City employees seeking another position must also complete an official City application. Resumes will not be accepted in lieu of the official application and applications will only be accepted for posted vacancies. All information set forth on an application is subject to verification. Applications will normally be considered active until the vacancy is filled. Applications for employment will be received and reviewed by the Human Resources Division.

C. Hiring Process - Applicants for employment shall be required to participate in an interview and may be required to submit to a post-offer physical examination, drug and alcohol examination (safety sensitive positions only), and may be required to submit to a pre-employment investigation.

D. Disqualification - Applicants will be disqualified from consideration for one or more of the following:

- Failure to meet the minimum qualifications necessary for performance of the duties for the position;
● If they previously worked for the City and were terminated, or resigned in lieu of termination, due to unsatisfactory performance or conduct and/or violation of a City policy or procedure;

● If their employment will result in a violation of the City’s Nepotism Policy;

● Failure to meet minimum age requirement for the position;

● False statements or material omissions on the application form or during the application process;

● Failing any of the City’s background and employment requirements including, but not limited to, drug testing;

● The applicant commits or attempts to commit a fraudulent act at any stage of the selection process;

● The applicant is not legally permitted to work in the United States;

● The applicant is unable to perform the essential functions of the job applied for with or without a reasonable accommodation; or

● Any other reason deemed to be in the best interests of the City.
RESERVE PERSONNEL

The City of Hutto may engage in hiring reserve personnel for specific positions that require identifiable staffing requirements to maintain service levels. The request to establish reserve personnel is generated by the Department Director in written format and sent to Human Resources for approval. The request must contain the following information:

- Position
- Effective Date
- Number of Reserve Personnel Requested
- Operational Necessity for Request

Reserve personnel are employees of the City of Hutto and, as such, are subject to all of the same recruitment, hiring and personnel policies as all other City employees including, without limitation, criminal background checks and drug screenings.
RESIDENCY REQUIREMENT

There is no absolute residence requirement for City employment. However, pursuant to Section 150.021 of the Texas Local Government Code, Ordinance No. O-11-12-15-V19 was adopted on December 15, 2011 requiring the City Manager of Hutto, Texas to reside within the Hutto city limits or its extraterritorial jurisdiction while serving as City Manager.

Employees who are likely to be called to work in cases of civil emergency may be required to reside within reasonable response commuting ranges of their places of work. For these purposes, the City Council has established that for employees hired after May 15, 2006, a reasonable response time to a civil emergency is 30 minutes.
RETIREMENT

The City participates in the Texas Municipal Retirement System, which provides retirement benefits to eligible employees. A deduction of seven percent from the employee’s gross salary is made and supplemented by the City on a two-to-one matching basis. Participation by every full-time regular employee and regular part-time employees who are regularly scheduled to work 1,000 hours or more per year is a condition of employment.

The City Council reserves the right to amend the retirement plan at anytime, as it deems necessary. All amendments and additions to such system enacted by the City Council are continued in full force and effect, and are incorporated herein by reference and are on file in the office of the City Secretary.

The City participates in the Federal Social Security and Medicare Programs which provide benefits upon retirement. A deduction from the employee’s salary is matched by the City for this benefit. Effective January 24, 2014, participation by every new employee is a condition of employment.
SEARCHES

The City may conduct unannounced searches or inspections of the work site, including but not limited to City property used by employees such as lockers, file cabinets, desks, and offices, computer and electronic files, whether secured, unsecured or secured by a lock provided by the employee. The City may also conduct reasonable searches or inspections of the employee’s personal property located on City premises, including vehicles parked on City parking lots.

NOTE: The City’s authority to conduct unannounced searches is not limited to situations involving reasonable suspicion of possession and/or use of drugs/alcohol.

All searches must be authorized and conducted under the direction of the Human Resources Division. Employees who refuse to cooperate with a search may be subject to disciplinary action up to and including termination.
SEPARATIONS

The City designates all employee separations as one of the following types:

A. **Resignation** - An employee who intends to resign is requested to notify his/her supervisor and/or the Human Resources Division in writing at least 2 weeks prior to the last day of work. Employees who fail to give a two-week notice are typically not eligible for rehire. The supervisor is responsible for immediately notifying the Human Resources Division.

B. **Retirement** - An employee who intends to retire must notify his/her immediate supervisor, Department Director and the Human Resources Division in writing, 30 days prior to the date of retirement. This 30 day requirement is necessary to ensure that the required paperwork is timely submitted to Texas Municipal Retirement System (TMRS). The City shall offer employees retiring with the City the option to purchase continued health benefits coverage, as outlined in Texas Local Government Code §§ 175.001 et seq., as amended.

C. **Dismissal/Termination** – City employees are at-will employees. Employment may be terminated by the employee or by the City for any reason or for no reason. At its discretion, the City may terminate an employee’s employment as a result of unsatisfactory performance or conduct and/or violation of City policies or procedures. City employees who are terminated or who resign in lieu of termination due to unsatisfactory performance or conduct and/or violation of City policies or procedures, are not eligible for rehire without approval of the City Manager.

Dismissal may also occur for the following:

1. **Job Abandonment** - If an employee fails to properly notify the City of his/her absence from work or if an employee is absent without authorization and/or notification for three or more consecutive days, the City will consider the employee to have abandoned his/her employment, and he/she will be terminated.

2. **Long-Term Absence** - Any employee who is unable to return to full time work after an absence of six months will be terminated from employment with the City. Brief appearances at work during an overall absence of six months will not prevent the City from terminating an employee if determined to be in the City’s best interest. Likewise, any employee who reports to work but is unable to perform the duties of his or her actual position after a period of 180 calendar days will be terminated. The City may elect to end the employee’s employment before the expiration of six months if it is unlikely that the employee will be able to return to full-time active duty at the end of six months or if the employee advises the City that he or she will be unable to return to full-time active duty at the end of six months. An employee who has a paid leave balance remaining at the end of six months will be terminated and paid for accrued leave balances. This policy will be administered consistently with the City’s obligations under the Americans with Disabilities Act.
3. **Reductions-in-Force/Reorganization** - An employee may be separated from City service when it is deemed necessary by reason of shortage of funds or work, the abolition of the position, or other material change in the duties of the organization, or for other reasons which are outside the employee’s control and which do not reflect discredit upon the service of the employee.

D. **Death** - If a City employee dies, his/her estate will be paid all earned pay and payable benefits.
SEXUAL AND OTHER UNLAWFUL HARASSMENT

The City is an equal opportunity employer. Employment discrimination on the basis of race, religion, color, sex, national origin, age, disability, marital status, veteran status, citizenship, genetic information, or any other characteristic protected by law, is prohibited. All City employees are entitled to a workplace free of unlawful discrimination or harassment by management, supervisors, co-workers, citizens, and vendors. City employees are also prohibited from harassing citizens, vendors, and all other third parties.

A. Sexual Harassment - One form of unlawful discrimination is sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, or

2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or

3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Conduct prohibited by this policy includes, but is not limited to sexual advances; requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual’s body, sexual prowess, sexual preference, or sexual deficiencies; leering, whistling, or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.

B. Other Prohibited Harassment - In addition to the City’s prohibition against sexual harassment, discrimination or harassment on the basis of any other legally protected characteristic is also strictly prohibited. This means that verbal or physical conduct that singles out, denigrates, or shows hostility or aversion toward someone because of race, religion, color, national origin, age, disability, veteran status, citizenship, or any other characteristic protected by law is also prohibited. Prohibited conduct includes, but is not limited to, epithets, slurs and negative stereotyping; threatening, intimidating, or hostile conduct; denigrating jokes and comments; and writings or pictures, that single out, denigrate, or show hostility or aversion toward someone on the basis of a protected characteristic. Conduct, comments, or innuendoes that may be perceived by others as offensive are wholly inappropriate and are strictly prohibited. This policy also prohibits sending, showing, sharing, or distributing in any form, inappropriate jokes, pictures, comics, stories, etc., including but not limited to via facsimile, e-mail, and/or the Internet. Discrimination or harassment of any nature, when based on race, religion, color, sex, national origin, age or disability, will not be tolerated. This policy applies to City employees, citizens, vendors, and other visitors to the workplace.
In furtherance of this policy, the City prohibits supervisors and managers from dating any subordinate. Such relationships can be disruptive to the work environment, create a conflict or the appearance of a conflict of interest, and lead to charges of favoritism, discrimination, and claims of direct or indirect sexual harassment. While the City has no desire to interfere with the private lives of its employees, where their conduct impacts upon the work environment in a negative manner, such as noted above, the City reserves the right to take whatever action is appropriate, in its discretion, to protect the City’s interests.

C. Mandatory Reporting - The City requires that employees report all perceived incidents of discrimination or harassment, regardless of the offender’s identity or position. Any employee who observes or otherwise learns of possible discrimination or harassment in the workplace or who feels that he or she has been subjected to conduct prohibited by this policy must report it immediately to:

- his or her Department Director;
- the Human Resources Division;
- the Assistant City Manager; or
- the City Manager.

Any supervisor, manager, or Department Director who becomes aware of possible conduct prohibited by this policy must immediately advise his/her Department Director and the Human Resources Division.

Under this policy, an employee may report to and/or contact the Human Resources Division directly without regard to the employee’s normal chain of command. Any employee who observes or otherwise learns of possible discrimination or harassment in the workplace or who feels that he or she has been subjected to conduct prohibited by this policy must report it immediately and may leave voice messages or transmit e-mails to the Human Resources Division at any time regarding the harassment.

In addition, the City encourages employees who believe they are being subjected to conduct prohibited by this policy and who feel comfortable doing so, to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action will resolve the problem.

D. Investigation - All reports of prohibited conduct will be investigated promptly by management in as confidential a manner as possible. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have other relevant knowledge. All employees are required to cooperate with the investigation.

E. Retaliation Prohibited - Retaliation against employees who make a good faith charge or report of prohibited conduct or who assist in a complaint investigation is prohibited. Acts of retaliation must be reported immediately as set out above.
F. **Responsive Action** - Misconduct constituting discrimination or harassment or retaliation will be dealt with appropriately. Discipline, up to and including dismissal, will be imposed upon any employee who is found to have engaged in conduct prohibited by this policy. Likewise, disciplinary action will be imposed in situations where claims of prohibited conduct were fabricated or exaggerated.
SICK LEAVE

Sick leave is paid time away from work due to an employee’s bona fide illness or injury that prevents him/her from working, for visits to the doctor or dentist, or to care for certain family members who are ill or injured. Employees who are unable to work due to illness or injury or other situations covered by this policy must immediately notify the appropriate supervisor in accordance with the procedures adopted by their Department.

A. Eligibility - All full-time employees begin accruing paid sick leave on the date of hire. Part-time, temporary and seasonal employees do not accrue sick leave. An employee who is released for and offered light duty by the City, but who elects not to accept such assignment, will not be eligible for paid sick leave benefits unless otherwise required by law.

B. Accrual Rate - Sick leave for employees shall be computed on the basis of 96 hours annually which is 3.69 hours per pay period. Sick leave accrues only during pay periods in which the employee works or is otherwise on an approved paid leave status for 80 hours.

C. Maximum Accrual. The maximum sick leave time which may be accumulated by any employee shall be 1,040 hours.

D. Authorized Use of Sick Leave.

1. For the employee - Accrued sick leave may be used for absences due to the employee’s bona fide personal illness, accident, or injury that prevents him/her from working, or birth of a child (if the employee physically gave birth; otherwise use of sick leave for child birth falls under the section below).

2. For the employee’s immediate family - Sick leave may also be used for absences when the employee is needed to care for a member of his or her immediate family who is ill or injured. For purposes of this policy, “immediate family” is defined as the employee’s parent, current spouse, and children/stepchildren. In the event of a life-threatening illness or injury of the employee’s family member who does not meet the definition of “immediate family,” the Department Director (and in the case of Department Directors, the City Manager) may allow the employee to use accrued sick leave. Sick leave may also be used by employees for their own and/or their immediate family’s scheduled doctor and dentist appointments.

E. Minimum Increments - Sick leave must be taken in minimum increments of one hour. If less than one hour is required, the time should be made up within the same work week instead of using sick leave.

F. Failure to Report Absence/Abuse of Sick Leave – Supervisors are required to monitor the use of sick leave. It is anticipated that employees using paid City sick time for their own illness/injury or that of a family member will use their sick leave time to recuperate or care for their family member. Trips to the doctor or hospital stays/visits, which take the employee away from the home, are acceptable, but other personal pursuits during paid sick leave will be considered an abuse of this policy. Abuse of sick leave, including use of sick leave for anything
other than an illness, injury, or doctor/dentist appointment as provided for in this policy, may result in immediate disciplinary action, up to and including termination of employment, and may also render the employee ineligible for paid sick leave benefits. Similarly, employees who fail to timely report an absence or tardiness due to illness, injury, or doctor/dentist appointment may be disqualified from using sick leave for their absence. Requesting to use sick leave when the requested time off is not actually needed for a bona fide personal illness, accident, injury, or medical or dental appointment is an abuse of sick leave.

G. Other Employment During Sick Leave - Employees on sick leave, whether paid or unpaid, may not work a second job, including self-employment or participate in volunteer work, during the period of leave, even if they have written authorization from the City Manager to work a second job. See Outside Employment Policy for additional guidance.

H. Use of Other Leave - If approved by the Department Director (and in the case of Department Directors, by the City Manager), employees may use accrued vacation leave or leave of absence without pay if an employee has no accrued sick leave time. Official holidays observed by the City while an employee is on approved paid sick leave will be treated as a paid holiday, rather than a day of sick leave, if the employee is eligible for the paid holiday. Under certain circumstances and with the approval of the Department Director/supervisor, the employee may flex his/her work schedule to attend to medical or dental appointments. This is acceptable provided that work time is accurately recorded on the timesheet. For non-exempt employees, flexing the work schedule must be accounted for within the same work week. For exempt employees, flexing the work schedule must be accounted for within the same work cycle or pay period. Under no circumstances (1) can flexing the work schedule extend beyond the affected work week for non-exempt employees or pay period for exempt employees and (2) the total of a non-exempt employee’s sick leave time plus hours worked cannot exceed forty (40) hours within the same work week.

I. Documentation - Employees requesting paid sick leave must complete a Leave request form and submit it to their supervisor for approval. An employee must present satisfactory proof of illness/injury that prevents him/her from working whenever the employee uses sick leave for 3 or more consecutive work days, and at any other time if requested by the City. An employee may also be required to present satisfactory proof of family relationship and/or satisfactory proof of a family member’s illness, injury, and/or doctor/dentist appointment if the employee wishes to use accrued sick leave to care for a family member. If the employee fails to present such proof in a timely manner, use of sick leave will be disallowed and no other paid leave may be used for the absence. Whenever an employee has been away from work for more than five (5) days due to a physical or mental condition, the employee is required to provide the Human Resources Division with a doctor’s statement that he or she is fit to return to duty without restrictions or listing any restrictions. Abuse of sick leave may result in discipline up to and including termination of employment.

J. Family and Medical Leave Act Leave - Any absence that qualifies for both Family and Medical Leave Act leave and sick leave will follow the guidelines set out in this policy and will typically be counted as both and run concurrently.
K. Payment For Unused Sick Leave - No employee shall be entitled to payment in lieu of using sick leave time.

L. Disability and Accumulated Sick Leave – The City of Hutto does not provide paid disability leave but makes disability insurance benefits available to its employees. The City of Hutto prohibits an employee from receiving both sick leave and disability benefits simultaneously. Payment of disability benefits is done in accordance with the terms of the disability policy. It will be at the employee’s discretion whether or not to utilize accumulated sick leave or receive disability funds in the amount of 60% of their salary if the employee is eligible for disability benefits.

M. Sick Leave Pool -- The City of Hutto Sick Leave Pool provides a benefit to eligible employees who have exhausted accrued vacation and sick leave by virtue of a Catastrophic Injury or Illness of their own or that of an Immediate Family Member. The Sick Leave Pool will be administered by the Human Resources Department of the City.

1. Eligibility for Participation in the Sick Leave Pool.
   A. All full-time regular employees who have been employed by the City for six months or longer are eligible to participate in the Sick Leave Pool. Only employees contributing at least eight (8) hours during the Open Enrollment period (as defined below) are eligible to make withdrawals from the Sick Leave Pool.
   B. Employees who are out on leave due to a work-related injury and who are receiving workers’ compensation benefits and those who are on disability leave for any reason and receiving disability benefits may not withdraw leave from the Sick Leave Pool if the combination of sick leave and benefits (workers’ compensation or disability) exceeds the employee’s pre-injury or pre-illness compensation.

2. Contributions to the Sick Leave Pool.
   A. Contributions to the Sick Leave Pool may be made only during the Open Enrollment Period(s) at any time on a strictly voluntary basis.
   B. Eligible employees desiring to donate time to the Sick Leave Pool must complete a Sick Leave Pool Donation form, which will be provided by Human Resources communicate in writing to the Human Resources Division, indicating the amount of sick leave to be donated. The Open Enrollment Periods will be held during the first two weeks of February and August each year. However, the inaugural Open Enrollment period will be October 5, 2015 to October 16, 2015.
   C. All donations to the Sick Leave Pool must be in increments of one full day of employee’s regularly scheduled work day eight (8) hours and may not exceed five (5) days forty (40) hours per fixed 12 month period except in accordance with subparagraph 2.E below. Example, if an employee donates forty (40) hours in February, the employee would not be eligible to make another donation until February of the following year.
   D. After a written statement Sick Leave Pool Donation form is received by Human Resources Department, the number of days hours donated will be credited to the Sick Leave Pool and deducted from the accrued sick leave of the employee making the contribution.
E. When an employee is retiring from the City or voluntarily terminating his or her employment with the City, the employee may contribute up to ten hours of accrued sick leave to the Sick Leave Pool.

F. Contributions to the Sick Leave Pool may not be earmarked for the benefit of a particular employee.

3. Withdrawals from the Sick Leave Pool.
   A. An employee may obtain leave from the Sick Leave Pool if the employee or an employee’s Immediate Family Member has experienced a Catastrophic Injury or Illness resulting in the exhaustion of all of the employee’s accrued vacation and sick leave.
   B. An employee requesting leave from the Sick Leave Pool must complete a Sick Leave Pool Withdrawal Request form, which may be obtained from Human Resources. If an employee is unable to make a written request complete a Sick Leave Pool Withdrawal Request form due to the employee’s own catastrophic injury or illness, the employee’s Department Director may submit the request form to Human Resources on behalf of the employee. An exception may be made given the circumstances, as determined by the City Manager and the Human Resources Division. In the event the employee has not previously provided the City with a Medical Certification supporting the Catastrophic Injury or Illness underlying the need for the leave, such a Medical Certification must be submitted with the Withdrawal Form. All medical information obtained pursuant to this Policy will be maintained as confidential information by the City to the extent allowed by law.
   C. A determination that an employee or an employee’s Immediate Family Member has a Catastrophic Injury or Illness under the Sick Leave Policy does not mean that the employee or the employee’s Immediate Family Member has a “serious health condition” under the FMLA or a “disability” under the ADA. The City Manager and the Human Resources Division will make the final decision regarding approval or denial of a request by any employee to make withdrawals from the Sick Leave Pool. If an employee’s request to make withdrawals from the Sick Leave Pool is denied by Human Resources, the employee may make an appeal to the City Manager. The appeal must be made in writing to the City Manager within five (5) business days after the denial decision is made by Human Resources. The City Manager will have up to five (5) business days to approve or deny the employee’s appeal. The City Manager’s decision is final and will be communicated in writing to the employee and Human Resources.
   D. An employee is limited to one withdrawal request per fixed 12 month period and may not withdraw an amount of sick leave that exceeds the lesser of sixty (60) work days or one-third (1/3) of the total amount of time in the Sick Leave Pool. Example, if an employee makes a withdrawal request from the Sick Leave Pool in February, the employee would not be eligible to make another withdrawal until February of the following year (eligibility for participation in the Sick Leave Pool will apply).
   E. Employees who have contributed leave to the Sick Leave Pool may not withdraw donated time unless they become eligible to withdraw leave from the Sick Leave Pool pursuant to this Policy and are approved to withdraw time.
   F. Employees are limited to one withdrawal request per calendar year.
   G. Employees do not accrue any form of paid leave while using leave from the Sick Leave Pool. An employee who is out on leave from the Sick Leave Pool will be treated in all other respects as an employee who is out on regular sick leave.
H. Requests for withdrawal of leave time from the Sick Leave Pool should be submitted as soon as the need for such leave is realized by the employee. Requests for withdrawal of leave are handled by Human Resources on a first come, first serve basis with all decisions being made within ten (10) working days of receipt of the written request.

I. If an employee returns to work without having used all of the leave time obtained from the Sick Leave Pool, all unused leave time must be returned to the Sick Leave Pool.

J. The estate of a deceased employee is not entitled to payment for unused time withdrawn by the employee from the Sick Leave Pool.

K. Leave time to which the employee is entitled (ADA and FMLA) is not extended by the availability of paid leave from the Sick Leave Pool.

4. Definitions.
   A. “Catastrophic Injury or Illness” means a severe serious health condition or combination of conditions affecting the mental or physical health of the employee or the employee’s Immediate Family Member which is unanticipated, non-job related, not self-inflicted, individual that requires the services of a licensed practitioner medical doctor for a prolonged period of time, and that forces the employee to exhaust all of the employee’s accrued leave time. A catastrophic Injury or Illness must be an illness or accident that requires confinement in a hospital for at least one full 24-hour period. Cancer will be considered to be a Catastrophic Injury or Illness even if no hospital confinement is required. The uncomplicated delivery of a child at the conclusion of a pregnancy, unforeseeable medical care rendered as a result of something other than injury or disease, and elective surgery are not considered to be a Catastrophic Injury or Illness.
   B. “Immediate Family Member” means parent, child, or spouse of the employee and includes step-parents and step-children as well as foster children certified by the Texas Department of Child Protective and Regulatory Services.
SMOKING

The City of Hutto prohibits its employees from smoking and using any and all smokeless tobacco products while in City-owned buildings, facilities, or vehicles. Smoking and use of any and all smokeless tobacco products is authorized in an area at least fifteen (15) feet away from an entrance to a City building.

The City of Hutto acknowledges the serious documented health hazards from exposure to environmental tobacco smoke; therefore, it will be the policy of the City of Hutto to provide a smoke free environment for every employee and visitor.
SOCIAL SECURITY: PARTICIPATION AND NON-PARTICIPATION

Any employee who is actively employed by the City of Hutto as of January 23, 2014 and participates in the Texas Municipal Retirement System as of January 23, 2014 will vote in an individual choice referendum election on April 23, 2014 to determine if they will continue to participate in Social Security or if they will opt out of Social Security participation. The individual choice referendum shall be conducted in accordance with the provisions set forth by the State of Texas’ State Social Security Administrator. Any employees hired on or after January 24, 2014 must participate in Social Security.

Employees who vote in the individual choice referendum election on April 23, 2014 must choose one of the following options:

1. Continue to participate in Social Security:
   - Employee’s wages will be deducted for defined contribution rate to Social Security. The City of Hutto will continue to make defined contribution to Social Security on behalf of employee at a one-to-one matching rate.
   - Employees choosing this option will not have the option to discontinue Social Security contributions in the future.

2. Opt out of Social Security and participate in a 401(a) Defined Contribution Plan:
   - In lieu of contributions to Social Security, employee’s wages will be deducted and deposited in a 401(a) defined contribution plan. The deposit to the defined contribution plan will be equal to the amount that would have been paid to Social Security. The City of Hutto, in lieu of contributions to Social Security on behalf of employees, will make deposit to employee’s 401(a) defined contribution plan at a one-to-one matching rate.
   - This will be a one-time opportunity for employees. If an employee chooses to stop contributions to a defined contribution plan, they may not begin contributing to Social Security.

3. Opt out of Social Security and have normal deductions added to employee wages:
   - Employee’s wages will not be deducted for Social Security contributions. Employees who elect this option will not receive an associated employer benefit.

Employees who vote in the individual choice referendum election on April 23, 2014 are required to stay with the option they elect while employed at the City of Hutto.
SOLICITATION

Solicitation of funds or anything of value for any purpose whatsoever shall not be permitted of or by City employees on the job except with the express approval of the City Manager. No employee may be required to make any contribution nor may an employee be penalized in any way concerning his or her employment according to his or her response to a solicitation.

No employee shall personally accept or solicit property, service, or other thing of value in excess of $50 from a person, business entity or other organization regulated by, contracting with, or having any other business relationship with the City department of which the employee is a member. No employee shall personally accept or solicit cash or a negotiable instrument regardless of the amount.

Please refer to the Gifts Policy for further limitations on gifts to City employees.
TEXAS MUNICIPAL RETIREMENT SYSTEM (TMRS)

Currently, the City of Hutto provides retirement benefits to its employees through the Texas Municipal Retirement System (TMRS). The Employee contributes 7% of gross compensation and the City matches the employees contribution on a 2 to 1 ratio with the City’s contribution being calculated using a variety of factors such as length of service, age, etc. Employees are vested when they earn five years of service which means they are eligible to receive the City’s contribution upon retirement. All regular full-time and regular part-time employees who are regularly scheduled to work 1,000 hours or more per year are required to participate in the Texas Municipal Retirement System.
TRAVEL

The City shall pay actual necessary transportation and living expenses for an employee or City official traveling on City business. It is the City’s policy to pay for, or reimburse, all reasonable and necessary expenses incurred by an employee when the employee travels on City-related business in accordance with this policy. Travel reimbursement and per diem will be made in accordance with the current travel and relocation policy of the United States General Services Administration (GSA).

A. Transportation - The most efficient and economical mode of travel must be used. Air travel arrangements are to be made by each department. Air travel must be booked at the most discounted fare basis whenever possible. When authorized, an employee using a personal vehicle on City business shall be paid an amount per mile, equivalent to the current rate paid by the State to its employees, or shall be paid the equivalent of a coach airline fare, whichever results in the lower cost to the City. Reimbursement for mileage will be determined based on the distance from the employee’s home or office, whichever is closer to the travel destination. Employees shall submit a map demonstrating travel distance in order to receive reimbursement for mileage.

In instances of approved private vehicle use, reimbursement will also be made for mileage tolls and parking fees. Receipts are required for toll and parking fees, as well as for taxi cabs, limos, and other modes of transportation. The City will pay for rental vehicles upon written approval of the City Manager (or designee).

When employees travel on the same dates with the same itinerary, they must coordinate travel. When four or fewer employees travel on the same itinerary, only one may be reimbursed for mileage. When more than four employees travel on the same itinerary, only one out of every four may be reimbursed for mileage, unless authorized in writing by the City Manager.

B. Travel Approval and Cash Advances – All travel and cash advances must be approved in advance by the employee’s Department Director (or designee), unless otherwise stated in this policy. Requests for travel advances should be submitted in writing to the Finance Department at least 10 calendar days prior to departure.

C. Lodging - Lodging is allowed only for multi-day events where the travel status would exceed 12 hours.

Expenses for lodging are to be at the single room rate, unless an employee is approved in advance for double occupancy. Extra charges for room service will not be paid by the City. An itemized hotel receipt must be provided including an itemization for any room service charges to be paid/ reimbursed by the City.

D. Meal Allowance - Expenses for meals shall either be reimbursed at actual cost as supported by receipts or by per diem allowance. If an employee is requesting to be reimbursed for actual costs, a detailed receipt (a credit card receipt listing the total amount due is not considered a detailed receipt) must accompany the request for reimbursement. In lieu of
itemized receipts for meals, a base per diem allowance is authorized. Employees may reference www.gsa.gov/perdiem to determine per diem rates based on the area of travel. If your seminar or training event includes the provision for a meal, the appropriate deduction will be made from your per diem or allowable reimbursement.

Meals may be reimbursed using the actual expense method if meals are procured at a prearranged place where a meeting, conference or training session is held or if approved by the City Manager.

Meal and lodging per diem will only be paid to employees whose travel status exceeds 12 hours in a given day. Only ¾ of meal per diem will be paid on the first and last day of travel.

E. Non-Allowable Expenses - Expenses or charges for the following will normally not be reimbursed and must be paid for by the employee:

1. In-hotel pay television and movies;
2. Dry cleaning and laundry;
3. Health club and spas;
4. Expenses of a spouse or any person not on City business;
5. Alcoholic beverages;
6. Personal long distance telephone calls;
7. Excess baggage charge for personal belongings; and
8. Other items of a personal nature.

F. Request for Reimbursement and Return of Unexpended Funds - Upon return to the City, the employee may submit a reimbursement for parking and other authorized charges. A detailed receipt must accompany the request for reimbursement. Any receipts for charges applied to the city procurement card must be detailed and submitted to Finance.

Any advance funds received by an employee for travel purposes must be immediately reimbursed to the City if the trip is cancelled for any reason. The employee is also required to reimburse any allowance received for a meal which was provided by the seminar or training event. If a City P-Card is used to pay for meals, the employee shall reimburse any amount charged in excess of the allowable amount for that meal.

G. Travel to Training - The current mileage reimbursement will be paid to employees who must use their personal vehicles to travel to a training destination further than their designated work location or other City locations and/or facilities unless the employee receives a vehicle allowance. Reimbursement will be made only for the difference in miles from the normal work location to the further training location.

H. Expenses Not Covered in Policy - The City Manager’s approval must be obtained prior to any expenditure of funds for items or changes which are not specifically addressed in the travel policy.
I. Compliance - Abuse of this policy, including falsifying expense reports or submitting false claims, will result in disciplinary action, up to and including termination of employment.

J. Vehicle Allowance – At the discretion of the City Manager, certain employees may be eligible to receive a monthly vehicle allowance in lieu of receiving actual mileage reimbursement. The monthly vehicle allowance is intended to cover expenses of driving a vehicle on City business in the Hutto/Austin area. For travel outside of the Hutto area (50 mile radius from City Municipal Building to destination and 50 mile radius from destination to City Municipal Building), mileage will be reimbursed at the rate paid to state employees.

K. FLSA “Hours Worked”—For purposes of computing the total number of hours worked by an employee during a single work week:

- Time spent commuting to and from work are not “hours worked.”
- Any time spent traveling during the employee’s normal work day is “hours worked.”
- When an employee is requested to travel from his or her normal workplace during a single business day, all of the time spent in travel and work on that day is counted as “hours worked” except for the lunch hour (unless work is actually performed at that time) and time spent in commuting to and from the normal workplace if the employee is required to begin and/or end the day trip at the normal workplace.
- When an employee makes an overnight trip for the City, time spent traveling to and from the airport or other means of public transportation as well as time spent as a passenger in traveling on an airplane, train, boat, bus, or automobile will not count as “hours worked” unless the time spent is during the employee’s normal work day.
- If an overnight trip requires the employee to travel on a Saturday or Sunday, hours spent in travel during what would be the employee’s normal working hours will be considered “hours worked.” For example, if an employee normally works from 8:00 a.m. to 5:00 p.m. Monday through Friday and is required to travel during those hours on a Saturday or Sunday in order to go to or return from an overnight trip for the City, travel time during those hours will be counted as “hours worked” on the Saturday or Sunday.
- If an employee requests to be able to drive a personal vehicle instead of taking public transportation when requested to travel away from home, the City will count as “hours worked” the same amount of time that would have been counted as “hours worked” if the employee had taken the public transportation.
- If an employee makes an overnight trip to a destination for which there is no public transportation available, time spent driving to and from the destination that is outside of the employee’s normal work day will be counted as “hours worked.” Time spent traveling as a passenger in a personal automobile is not counted as “hours worked” unless the hours are within the normal work day.
UNPAID LEAVE OF ABSENCE

In extraordinary circumstances, the City may grant employees an unpaid leave of absence (LOA). All requests for LOA must be submitted on the Leave Request form and must be authorized by the City Manager. The employee may seek extensions of leave, up to a maximum of six months away from work. This policy will be administered consistently with the City’s obligations under the Americans with Disabilities Act. A LOA will not be authorized unless there is a reasonable expectation that the employee will return to employment with the City at the end of the approved leave period.

A. Use of All Other Available Leave – All accrued leave, compensatory time, and FMLA leave (if applicable) must be exhausted and runs concurrently with an authorized Leave of Absence. The six-month maximum absence includes all paid and unpaid days of leave.

B. Criteria - Factors considered by the City in granting a LOA include the reason for the leave; departmental work requirements; the employee’s length of service, work performance and disciplinary history.

C. Reasons for LOA - A LOA may be considered in the following circumstances:

1. Recovery from extended illness, injury or temporary disability.
2. Extended care for immediate family members.
3. Educational purposes when successful completion will contribute to the work of the City.
4. Public service assignment.
5. Personnel exchange programs which emphasize intergovernmental relations.

D. Documentation - Requests for LOA without pay must be made in writing to the employee’s Department Director as far in advance as possible prior to the requested leave date. Requests for an extension of leave must also be in writing and submitted to the Department Director, who will forward the request to the City Manager’s office and the Human Resources Division. The need for a medical LOA must be supported by documentation acceptable to the City, including but not limited to a doctor’s explanation of why the employee cannot perform his/her duties, when he/she is expected to return to work, and periodic updates regarding the employee’s ability or inability to return to work. The Department Director and/or City Manager may require that the employee on leave periodically contact a designated supervisor to report on his/her condition or status. Before returning to work from a medical LOA, the employee may be required to submit a letter from his or her doctor stating that the employee is able to resume his or her normal job duties. The City may also impose additional return to work requirements as set out in the City’s Health/Fitness policy.
E. Other Employment During Leave - Under no circumstances may an employee on an authorized LOA without pay work another job, whether for pay, as a volunteer or as self-employment, unless expressly authorized in writing by the Department Director and the Human Resources Division.

F. Reinstatement - Employees returning from a LOA will be reinstated to their same position if the position is available. If the employee’s previous position is not available, the City will use its best efforts to place the employee in a position of similar pay and status. If the same job or one of similar pay and status is not available, reinstatement may, at the City’s discretion, be deferred until a position is available. If reinstatement to an employee’s previous position is required by law, the City will comply with the law. An employee who fails to return to work at the conclusion of an approved LOA will be considered to have voluntarily resigned his or her employment with the City.

G. Benefits/Premium Payments - All LOA’s are unpaid except for any period in which accrued, paid leave is used during the LOA. Vacation, sick leave, holiday pay, and other benefits do not accrue during an unpaid LOA. Any benefit continuation during a LOA must be approved in advance by the Human Resources Division and the City Manager.

Any insurance premiums, or partial premiums, normally paid on behalf of the employee by the City will not be paid by the City beginning the first day of the month following the starting date of a LOA. Employees who have group health or any other kind of insurance through the City continue to be responsible for paying their portion of the premiums while on a LOA. An employee’s failure to pay either his or her or the City’s portion of insurance premiums during a LOA may result in cancellation of coverage.

H. Revocation - The City Manager may revoke authorized leave without pay at any time. Failure to return to work after the expiration of an authorized LOA or failure to provide required medical status reports, physician’s statements, or to contact the City per the required schedule, will likely result in revocation of the LOA and/or disciplinary action up to and including dismissal.
VACATION LEAVE

Regular full-time employees accrue vacation leave each pay period at a rate of 3.08 hours for each pay period worked which yields 80 hours or 10 work days annually.

After five years of employment, regular full-time employees shall earn 4.62 hours each pay period worked which yields 120 hours or 15 work days annually.

After ten years of employment, regular full-time employees shall earn 5.23 hours each pay period worked which yields 136 hours or 17 work days annually.

After fifteen years of employment, regular full-time employees shall earn 6.15 hours each pay period worked which yields 160 hours or 20 work days annually.

Employees may not “borrow” unearned vacation time; employees shall not receive payment of vacation in lieu of taking time off, except as provided below.

Regular part-time, temporary, and seasonal employees do not earn vacation leave. Official City-observed holidays occurring while an employee is on approved paid leave are considered paid holidays and do not affect vacation leave balances. Paid vacation leave is not considered hours worked for purposes of performing overtime calculations. Only scheduled working days taken off shall be counted as vacation days.

A. Use and Scheduling of Vacation Leave - Vacation leave is an earned benefit intended to provide employees with paid time away from the work environment to pursue activities that will promote the well being of the individual. Vacation leave may also be used for purposes of attending to personal business, extension of sick leave when sick leave is exhausted, inability to get to work because of inclement weather, or for other purposes, and may be taken in hourly increments. Employees must schedule their annual vacation leave in accordance with their Department’s guidelines governing vacation scheduling and utilizing the Leave Request form. Whenever possible, vacation time will be scheduled at the convenience of employees. However, Department Directors must be certain that vacations do not interfere with the normal functions and activities of department operations. Whenever possible, employees are encouraged to submit their preferred vacation schedule to the appropriate supervisor as far in advance as possible to relieve any scheduling problems that may develop. To ensure proper payment of vacation pay, employees must make sure they have an approved vacation request on file before leaving for vacation. No more than ten consecutive work days of vacation time may be taken off, unless the City Manager grants an exception. Non-exempt employees may not be paid over 40 hours including the vacation leave within the same work week.

B. Maximum Accruals – For employees with fewer than 5 years of service to the City, the maximum number of vacation days that may be accumulated from one calendar year to the next is twenty days (160 hours). For employees with 5 or more but less than 10 years of service to the City, the maximum number of vacation days that may be accumulated from one calendar year to the next is twenty-five days (200 hours). For employees with 10 or more years of service to the City, the maximum number of vacation days that may be accumulated from one calendar year to
the next is thirty days (240 hours). All days in excess of maximum accumulation are lost on December 31st of each calendar year (except as otherwise provided for in this policy). Employees will not be paid for vacation in excess of the maximum accrual or for vacation that is “lost” on December 31st of each calendar year. If the needs of the City and/or Department preclude the taking of a scheduled vacation, the Department Director may defer an employee’s scheduled vacation leave. In such cases, the Department Director may seek approval from City Manager to pay an employee for “deferred” vacation (vacation that was unable to be taken by the employee due to an operational necessity of the City) but this is determined on a case by case basis and at the sole discretion of the City Manager.

C. Compensation for Vacation Leave - Vacation is paid at the employee’s base rate at the time of vacation. It does not include overtime or any special forms of compensation. Vacation time is paid only for hours the employee would ordinarily have worked. Employees will not be paid for any unused vacation, except upon separation of employment, or if an employee is precluded from taking a scheduled vacation due to City and/or department needs as set out above. Upon termination, retirement, or resignation an employee shall be paid for accrued vacation leave up to a maximum of 160 hours at the rate of pay the employee was receiving at the time of separation. Upon the death of an employee, the accrued vacation will be paid to the employee’s estate.

D. Definitions

1. Compensable Hours - The hours worked or taken in a pay period must equal 80 hours for full-time employees before vacation hours will be accrued. Employees who work less than 80 hours in a pay period will accrue vacation hours on a prorated basis.

2. Vacation Day – A “vacation day” is defined as an 8-hour period for employees who are regularly scheduled to work 8 hours per day, a 10-hour period for employees who are regularly scheduled to work 10 hours per day and a 12-hour period for employees who are regularly scheduled to work 12 hours per day. Employees are not required to take a full day of vacation; they may take vacation in one hour increments.
VALID DRIVER'S LICENSE

The City requires that every employee who operates a City owned [or leased] vehicle, or who drives a privately owned vehicle while carrying out job duties, must maintain a current valid Texas driver's license and an acceptable driving record as determined by the City.

Driving records will be checked prior to employment and periodically throughout the course of employment. Applicants and employees are required to provide the City with any authorizations necessary for the City to perform such a check. More than 3 moving traffic violations that result in final convictions in a 36 month period is considered excessive and will result in failure to hire in the case of prospective employees, and will likely result in disciplinary action, up to and including termination, of an active employee. The Police Department may have stricter standards imposed.

When a special classification of driver's license is required to operate City equipment, it is the employee’s responsibility to maintain the required license.
VOLUNTEERS

All City volunteers are subject to this Employee Policies & Procedures Handbook except that volunteers are not entitled to any employee benefits including paid leave and may not utilize the Complaint Resolution process.
WEAPONS CONTROL

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

A. Zero Tolerance - Harassment, intimidation, threats, threatening behavior, violent behavior or acts of violence between employees or such action between an employee and another person that arises from or is in any manner connected to the employee’s employment with the City, whether the conduct occurs on duty or off duty, is prohibited.

B. City’s Response to Threats or Acts of Violence - The City will attempt to respond appropriately to any person who threatens use of force or violence or threatens an unlawful act, exhibits threatening behavior, or engages in violent acts. The City’s response will normally be coordinated by the Human Resources Division, and where applicable, the City’s Police Department or other appropriate law enforcement agency. The Human Resources Division will evaluate the severity of the situation and the need for additional resources (e.g., law enforcement, Emergency Medical Services) to minimize risk and further violence, and will work with the appropriate Department Director(s) in an effort to ensure that appropriate administrative actions are taken. If such conduct occurs on City property, the offending person will typically be removed from the premises pending the outcome of an investigation. The City may also suspend and/or terminate the employment relationship, reassign job duties, mandate counseling with a psychologist or other mental health care provider of the City’s choosing, initiate criminal prosecution of the person or persons involved, and/or other actions as determined by the City to be appropriate under the circumstances.

No existing City policy, practice, or procedure will be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring or a life-threatening situation from developing.

C. Weapons Control - Unless specifically authorized by the City Manager, no employee, other than a City licensed peace officer, shall carry or possess a firearm or other weapon on City property. Employees licensed by State of Texas to carry a concealed weapon may have a permitted weapon only on the City parking lot if it is locked in the employee’s vehicle. Employees licensed to carry concealed weapons must report to the Human Resources Division their identity and license plate numbers of all vehicles that employee may park in City parking lots. Employees are also prohibited from carrying a weapon while on duty or at any time while engaging in City-related business. Prohibited weapons include firearms, clubs, explosive devices, knives with blades exceeding 5 ½ inches, switchblades, etc. Employees do not have an expectation of privacy and the City retains the right to search for firearms or other weapons on City property.

D. Mandatory Reporting - Each City employee must immediately notify his/her supervisor, Department Director, the Human Resources Division and/or the Police Department of any act of violence or of any threat involving a City employee that the employee has witnessed, received, or has been told that another person has witnessed or received. Even without an actual threat,
Each City employee must also report any behavior that the employee regards as threatening or violent when that behavior is job-related or might be carried out on City property, a City-controlled site or City job site, or when that behavior is in any manner connected to City employment or activity. Each employee is responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons threatened or the target of the threatening behavior. A supervisor who is made aware of such a threat or other conduct must immediately notify his/her Department Director and the Human Resources Division.

E. Protective Orders - Employees who apply for or obtain a protective or restraining order which lists City locations as being protected areas must immediately provide to the Human Resources Division and the City’s Police Department a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent. City employees must immediately advise their Department Director and the Human Resources Division of any protective or restraining order issued against them.

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

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

H. Documentation - When appropriate, threats and incidents of violence will be documented. Documentation will be maintained by the Human Resources Division and/or the Police Department.

I. Policy Violations - Violations of this policy may lead to disciplinary action, up to and including termination of employment. Policy violations may also result in arrest and prosecution.
AGENDA ITEM NO.: 8A. AGENDA DATE: October 01, 2015

PRESENTED BY: Karen Daly, City Manager

ITEM: Consideration and possible action on a resolution nominating a representative to the Williamson County Appraisal District Board of Directors.

STRATEGIC GUIDE POLICY: Fiscal and Budgetary

ITEM BACKGROUND: The City Council is allotted 30 votes for the Williamson County Appraisal District Board of Directors. This number is calculated based on the City’s assessed taxable valuation.

The Leadership and Legislative Committee met on September 14, 2015 and discussed possible nominations. The Committee recommends Rufus Honeycutt be nominated for reappointment to the Board of Directors.

BUDGETARY AND FINANCIAL SUMMARY: Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS: The Leadership and Legislative Committee recommends Rufus Honeycutt be nominated for reappointment to the Board of Directors.

CITY ATTORNEY REVIEW: Not applicable.

STAFF RECOMMENDATION: Staff recommends approval of the resolution.

SUPPORTING MATERIAL: 1. Resolution - Nominations for WCAD Board of Directors
A RESOLUTION OF THE CITY OF HUTTO, TEXAS NOMINATING INDIVIDUALS FOR EACH POSITION ON THE WILLIAMSON COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS.

WHEREAS, Section 6.03 (f) Texas Property Tax Code provides for the governing body of each taxing unit to nominate individuals for each position to be filled on the Williamson County Appraisal District Board of Directors, and

WHEREAS, the City of Hutto, Texas wishes to nominate Rufus Honeycutt

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

That the Council hereby nominates Rufus Honeycutt for the Williamson County Appraisal District Board of Directors.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this the 1st day of October, 2015.

CITY OF HUTTO, TEXAS

__________________________
Debbie Holland, Mayor

ATTEST:

__________________________
Seth Gipson, City Secretary