Last Revised 9/8/15 by BJP

CITY OF

DEER PARK

Birthplace of Texas

EST. 1892

AFFIDAVIT OF RECEIPT OF PERSONNEL MANUAL

This is to certify that I have received the City of Deer Park Personnel Manual and shall within two (2) weeks of receiving same, read and ask any questions pertaining to same that I do not understand.

_____

Signature of Employee

_____

Printed Signature of Employee

_____

Date of Receipt

CITY OF DEER PARK

710 E. SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Adopted by Resolution 80-4

February 22, 1980

Revised and approved
by City Council
November 3, 1987

PERSONNEL

MANUAL

City of
DEER PARK
710 E. San Augustine • P.O. 700 • Deer Park, Texas 77536 • (713) 479-2394

WELCOME -- to the family of employees of the City of Deer Park. Those of us who work for the City of Deer Park feel that we are not just employees but are the essential link in supplying the municipal needs to our citizens. We are proud of our City and proud of the job we do for our citizens.

The City of Deer Park offers what we believe to be the best fringe benefit package for our employees, and in turn the city employees offer the best service to our citizens. The city employees of our City accepts a problem as our "opportunity to serve" the public.

We believe that this handbook will provide you with the general rules and regulations of our City, as well as establish our service goals. If you have any questions about the handbook, please contact your supervisor as we are ready to assist you in every way possible. We are interested in your progress and want you to be successful and happy in your job.

As public employees, it is extremely important to remember that the way we conduct ourselves on our job reflects credit to the City as well as to our fellow employees.

Again, welcome and we look forward to working together in the years to come.

From the Office of the
City Manager

DEER PARK FEDERAL CREDIT UNION

P. O. BOX 700

DEER PARK, TEXAS 77536

As an employee of the City of Deer Park, you are invited to join the City of Deer Park Federal Credit Union.

The Credit Union is the employees who save money together and make loans to each other. Its purpose is not to make a profit but to serve its members.

The cost of membership is two dollars ($2.00) as an entrance fee and five dollars ($5.00) per share. Payroll deduction is available for Credit Union savings or loan payments.

To join or obtain more information, please come by the Credit Union office, City Hall, 710 E. San Augustine Street, or call 479-2394, ext. 280.

/s/Mary Black

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DEFINITIONS

1. CITY MANAGER - means a person appointed by the Mayor with approval by the Council as the chief administrator of the city responsible to the Council for the administration of all of the affairs of the city under his jurisdiction.

2. DEMOTION - an assignment of an employee from a position in one classification to a position in another classification having a lower maximum salary rate.

3. DEPARTMENT - a major functional unit of the city government.

4. DEPARTMENT DIRECTOR - a person appointed by the City Manager and is responsible to him for the administration of a department.

5. EMPLOYEE - any person working in the service of the city who is appointed under these rules and policies and has satisfactorily completed his probation period; or who entered into the service of the city before and has been serving continuously since that time.*

6. HE - shall mean both genders of sex.

7. MAY - "May" is permissive.

8. MONTH - one calendar month.

9. CALENDAR MONTH - means beginning on the first day of a month proceeding through the last day of that month.

10. OVERTIME - authorized time worked in excess of regular work week.

11. PART-TIME EMPLOYEE - any employee working less than 40 hours a week.

12. PROMOTION - an assignment of an employee from a position in one classification to a position in another classification having a higher maximum salary rate.

13. SHALL - "Shall" is mandatory.

14. TENSE OF WORDS - The words in the present tense shall mean the future tense also.

15. TRANSFER - any change of an employee from one position to another position having the same maximum salary rate.

*Unless otherwise stated herein reference to "Employee" shall mean "Regular Full Time Employee".

CHAPTER I

PURPOSE OF RULES AND POLICIES

1.1 PURPOSE - The purpose of these rules and policies is to promote a high degree of understanding, cooperation and efficiency among all employees and provide a good working relationship with a uniform personnel policy. The fundamental objectives of good personnel administration sought to be achieved by these policies are declared to be:

(a) To inform employees as to their rights, duties, and obligations, in relation to their employer;

(b) To inform department heads and other supervisors as to their obligations towards the employees under their direction and their rights to assign and instruct the employees;

(c) To ensure that all Federal, State, and local laws in relation to employment and working conditions are fully complied with;

(d) To promote high morale among employees by providing good working relationships and consideration for employees welfare;

(e) To provide fair and equal opportunity to all qualified persons to enter city employment on the basis of fitness and merit as ascertained through practical and fair methods of selection.

1.2 AUTHORITY OF CHANGES IN THE RULES AND POLICIES - These rules are issued as a resolution by the City Council. The rules may be amended from time to time as the needs of the service require. Suggestions for amendments in the rules are welcome at any time from any employee. They should be submitted in writing to the City Manager.

Copies of these rules shall be issued to all employees after their publication and to each new employee after he has been appointed to a position in the service of the City. Department Directors will be responsible for inserting changes as they are issued and keeping their respective copies up to date.

1.3 TECHNICAL RULES - These rules relate only to matters of personnel management and do not cover any departmental procedures, standard practices, standing orders or other technical matters. The several department directors have full authority to make departmental rules not in conflict with these rules, and otherwise to direct the conduct of the work of their respective departments.

1.4 PERSONAL RECORDS - Personal history records of all employees shall be available for inspection only to the employees concerned, their authorized representatives and to proper city officials.

CHAPTER II

APPOINTMENT AND TERMINATION

2.1 APPOINTMENT - New employees shall be considered for employment on the basis of their demonstrated ability to perform work required. This may be determined by prior work records or by performance testing as well as determination, attitude and personality. Each new employee must be interviewed by the department director and approved by him.

2.2 MINORS - Minors employed by the city shall furnish the city with a minors release.

2.3 PROOF OF CITIZENSHIP - Each candidate for employment must verify his eligibility for employment as prescribed by the U. S. Immigration and Naturalization Service before his application is processed.

2.4 PHYSICAL EXAMINATION - Each candidate for employment shall obtain a physical examination by the appointed city health doctor at city expense. The city reserves the right to have an employee re-examined at any time.

2.5 JOB POSTING PROCEDURE - Positions available within the city will be posted for a period of five (5) working days at locations accessable to all employees.

(a) Each position posted will list the title, job, description, department where vacancy has occured, rate of pay and date.

(b) Any employee of the city has the right to apply for the open position providing it is a higher position and he meets the minimum qualifications. Minimum qualifications will be the same as shown on the job description.

(c) If qualified personnel for the posted position cannot be found among city employees, the Personnel Department shall begin accepting applications for the position from non-employees.

2.6 EMPLOYMENT OF RELATIVE - Two or more members of the same

This sub-section (2.6) has been updated as is viewable at the end of this section of the manual.

2.7 TEXAS DRIVERS LICENSE -It will be mandatory for each city employee driving a city vehicle to have a valid Texas Drivers License. At no time will a city employee drive a city vehicle without a valid Texas Drivers License in his possession. Should an employee have his license suspended for any reason, he shall notify the department director at once.

2.8 AGE REQUIREMENTS - No applicant for appointment shall be considered who is less than 18 years of age except the minimum for Parks and Recreation shall be 16 years of age. No person shall be employed by the city who has reached his 70th birthday; provided, however, that the City Manager may grant waivers of this rule on a year-to-year basis in specific cases. The minimum age limit may be waived for training programs expressly approved by the City Council.

2.9 EMPLOYEE BENEFITS - The cash pay of an employee by no means constitutes their total pay since employees receive a number of benefits in kind, which have substantial value. These benefits are:

(a) Retirement plan
(b) Life insurance
(c) Workman's compensation
(d) Hospitalization and medical insurance for employee and dependents
(e) Credit Union available
(f) Longevity
(g) Sick leave
(h) Sick leave reimbursement
(i) Paid holidays
(j) Paid vacation
(k) Dental insurance (optional)
(l) Optical insurance (optional)
(m) Accident and Cancer insurance (optional)
(n) Additional employee and dependent life insurance (optional)

In addition, all field employees receive free work clothes.

2.10 INSURANCE SUMMARY - subject to current policy. Refer to Texas Municipal League Insurance Trust Fund employee booklet or consult with the insurance officer.

2.11 RETIREE INSURANCE COVERAGE - A retired employee (excluding dependents) shall be extended health insurance if they meet the following requirements; a, b, or c.

(a) Employee reaches age 60 with 10 years credited service or

(b) Employee is credited with 25 years service regardless of age.

(c) Employee has 10 years accredited service with TMRS while working for the City of Deer Park and qualifies under a or b above.

Under the retirement program, the city will pay for medical insurance (employee only) and $2000.00 base life insurance.

2.12 ELIGIBILITY FOR DISABILITY RETIREMENT HEALTH INSURANCE -

(a) Service connected - At least one year must have elapsed between effective date of membership and effective date of retirement.

(b) Non-Service Connected - At least ten years of credited service, and disability must be total and likely to be permanent.

The above applies after the TMRS Medical Board certifies as to the disability.

NOTICE - Retired employees medical benefits shall be subject to the same changes in coverage as the overall group coverage changes.

2.13 OPTIONAL LIFE INSURANCE FOR RETIREES - All retirees are offered optional life insurance at a maximum rate of $10,000.00. All optional insurance will be paid by the retiree. Retired employees can also opt to carry $2,000.00 life insurance on their spouse, paid for by retiree.

2.14 TERMINATION - When an employee leaves the employment of the city, his department director shall be notified of the termination at the earliest possible date. Two (2) weeks notice is requested to facilitate final payroll matters and replacement assignments. An exit interview conducted by the Personnel office shall be had with each employee leaving the city's employ. The last day of work shall include the return of identification cards, uniforms, equipment, etc. City equipment not returned by the last work day will be charged against the employee's final pay. Final pay or benefit checks due an employee separating from the city will be issued as promptly as possible.

UPDATED/INSERTED POLICY UPDATE

Personnel Policy Sub-Section 2.6
EMPLOYMENT OF RELATIVES/NEPOTISM

I.PURPOSE

In order to prevent conflicts of interest, to avoid accusations and perceptions of biased conduct, and to maintain the confidentiality of restricted information, the City adheres to State statutes regarding employment of relatives and further enacts policies to define what circumstances are prohibited regarding the employment of relatives.

For the purposes of the policy, Nepotism is defined as a familial relationship that is established to within the second degree of affinity (marriage) or to within the third degree of consanguinity (blood).

II.POLICY

It is the policy of the City that:

(A) Applicants

- An applicant related to the City Manager or Assistant City Manager by blood or marriage within the second degree according to common law shall not be employed by the City.
- An applicant related to any member of the City Council by blood or marriage within the second degree according to common law shall not be employed by the City.
- Under no circumstances will an applicant be employed under the same department director in which he or she has a relative who is also an employee of the city.
- Under no circumstances will an applicant be employed in an arrangement in which he or she may directly or indirectly supervise, have control of or jurisdiction over a relative who is also an employee of the city. An applicant of the city shall not directly or indirectly be under the supervision, control or jurisdiction of a relative who is also employed by the city.
- For purposes of this section, the term "relative" is defined as father, mother, son, daughter, sister, brother, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, grandchild.

(B) Promotion

In the event of a promotion that would create any of the prohibited situations or positions listed above, any employed family member(s) of the person considered for the promotion, whose relationship constitutes the prohibited scenario identified above must agree to immediately tender written, conditional resignation before the candidate will be formally considered for the proposed promotion. If the candidate is selected for and chooses to accept the promotion, the conditional resignation becomes final. Once final, any such resignation will not become effective until ninety (90) days after the promotion takes effect. Negatively impacted employees may wish to seek a transfer to another available position within the City for which the employee is qualified and which 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, the employee will be required to resign from employment.

(C) Reorganization

In the event of a reorganization giving rise to a relationship prohibited by this policy, one of the related employees will be required to immediately resign his/her employment. Any such resignation will not be effective until ninety (90) days after the reorganization occurs if the reorganization creates any new nepotism issues as outlined in this policy.

(D) Marriage of Current Employees

In the event of a marriage (including common law) between two City employees, or any other situation giving rise to a relationship prohibited by this policy, one of the affected employees must immediately seek a transfer to another available position within the City for which the employee 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 of the affected employees will be required to resign from employment. If no choice is made by the employees, the city will be authorized to make a decision to separate one of the affected employees and will utilize what is determined to be in the best interests of the city to make the determination of which role is to be terminated.

(E) 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 employee's relationship must not create a conflict between employee's/ City interests;
- 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 be permitted to work in the same department with each other without prior written authorization from the City Manager (or designee).

(F) Grandfather Clause

The city is aware that, as of the above revision date of this policy, a number of City employees are related, by blood or by marriage, to other City employees. These employees will be "grandfathered" under this policy for any existing family relationships. Please be informed that the above "grandfathered" 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 the policy. If one or more of these requirements are not met, one 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, one 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.

Personnel Policy 3.1 – Probationary Period

PROBATIONARY PERIOD FOR EMPLOYEES –

(a) The first twelve (12) months of service for sworn police officers (18 months for non-licensed officer cadets) and the first six (6) months of service of all other regular full-time or part-time employees is a probationary period during which there shall be no responsibility on the part of the city for their continued employment. Newly promoted employees are also subject to a probationary period for the first six (6) months in their new position.

(b) At the end of a probationary period the department director will submit a change of status indicating regular full-time employment, extension of probationary status, or termination for the probationary employee. Only employees who meet acceptable standards during their probationary periods shall be retained. The satisfactory completion of a probationary period does not constitute an agreement of continuing employment for an unlimited period. Re-hires would be in a probationary status just as any other similarly situated new hire.

(c) An employee who has not completed their probationary period is an "at will" employee and may be terminated at any time during the probationary period when, in the judgement of the department head, the quality of their work and/or behaviors does not merit continuation.

(d) Throughout the probationary period of initial employment at the city, the probationary employee cannot utilize or access the city's grievance procedure and is subject to discharge without recourse through the city's policies and procedures.

CHAPTER IV

CLASSIFICATION AND COMPENSATION

4.1 ADOPTING THE PLAN - The classification and compensation plan set forth in the Code of Ordinances, Article III-A, shall become a part of these policies at the time of their adoption.

4.2 All city positions, whether occupied or vacant, are allocated to classes of work in accordance with the actual duties and responsibilities of the several positions. There may be one or more positions in a class. Each class is, in turn assigned to a pay range. The pay ranges are numbered from the lowest to the highest. The body of classes and pay ranges constitutes the city classification plan.

4.3 PAY PLAN - Each pay range in the classification plan has seven steps of monthly pay, each step being higher than the preceding step. The steps are identified by letters from P to F.

Copies of the plan, classifications and pay ranges shall be made available in the City Secretary's office to interested parties.

4.4 USE OF JOB CLASSIFICATION - All jobs shall be designated by job classification on all official records and payrolls. No job shall carry an official classification which has not been approved by the City Manager.

4.5 STARTING PAY - New employees shall normally start work at the P step of the grades to which their positions are allocated by the classification plan. In the case where a candidate for employment clearly has exceptionally good qualifications for the work of the position, he may be employed initially at a step in the pay plan higher than the P step provided, however, that the department director and the City Manager shall approve such within-grade recruitment.

4.6 PERFORMANCE EVALUATION - Performance evaluations will be conducted twice a year at which time an employee being evaluated may also have the opportunity to discuss working conditions and other matters which he might wish to discuss. A performance evaluation should be conducted so as to coincide with a recommendation for a pay increase and should accompany a change of status recommending such increase.

4.7 PAY INCREASES -

(a) The pay plan is designated to grant pay increases to outstanding workers as a reward for ability, attitude and production record. The steps provided for in the Compensation Plan does not mean raises are automatic but is a plan used by the department director in recommending raises for employees who qualify. Increases may be withheld in cases of inferior performance.

(b) Classified employees after completion of their probationary period may be raised to the next immediate pay step above their present pay on the first month in which their employment anniversary falls, provided their work is satisfactory and upon recommendation of their department director and approval of the City Manager. All pay rates shall be rates set by the classification and compensation plan.

4.8 TRANSFER, PROMOTION OR DEMOTION - When an employee in one classification is transferred, promoted, or demoted to a position in another classification and his current rate of pay is:

(a) less than the minimum rate of the new classification, it shall be increased to the new minimum rate,

(b) more than the maximum rate for the new classification, it shall be reduced within the salary range of the classification as recommended by the department director with approval of the City Manager,

(c) at the same level on the salary range for the new classification it shall remain the same in the case of transfer, be lowered in case of demotion,

(d) newly promoted employees from one position to another shall be considered in a "probationary period" for the first six months in his new position. The probationary employee may be raised to the next immediate step at the end of the six month period upon recommendation of the department director and approval of the City Manager.

4.9 PART-TIME RATES - An employee who works regularly and less than forty (40) hours per week may be paid by the hour or at a salary proportioned to the amount of time worked. Part-time employees shall not receive city benefits.

4.10 PAY DAYS - Pay days are bi-weekly, every other Friday.

4.11 MAINTENANCE OF THE CLASSIFICATION AND PAY PLANS - The City Manager assisted by the Assistant Personnel Director shall have primary responsibility for maintaining the classification and pay plans. As the duties of positions change, they shall be reviewed for reallocation to different classes and the appropriateness of the classes in the classification plan shall likewise be reviewed and changes made. Within grade recruitment shall not be used as a substitute for modification of the pay plan.

Department directors and supervisors have a duty to report substantial changes in the duties and responsibilities of positions under their control in order that classification adjustments may be made.

4.12 STATE REQUIRED EDUCATION CERTIFICATES - Any employee who completes STATE REQUIRED education certificates will be given incentive pay for certificates as follows:

Basic--------$.06 per hour
Intermediate-$.24 per hour
Advanced-----$.47 per hour

CHAPTER V
HOURS OF WORK AND OVERTIME

5.1 HOURS OF WORK - Working schedules are fixed by department directors but shall total 40 hours a week.

5. 2 OVERTIME PAY FOR CLASSIFIED EMPLOYEES - Exempt employees as defined by the Fair Labor Standards Act (FLSA) shall NOT be eligible for overtime pay. It shall be the responsibility of the department director to keep overtime work at a minimum. Non-exempt employees who are called out to a worksite without prior notice, and who are requested to report to work outside of their regular work schedule, shall receive the overtime rate applicable for all hours actually worked, or a minimum of 2.75 hours at the overtime rate applicable if the time spent in call-out status is less than 2.75 hours. In the event the call out work extends into the employee's regular work schedule, the employee shall be entitled to the minimum 2.75 hours overtime rate. Call out pay premiums are not included in the calculation of overtime for the week. Employees who are "called out" and subsequently do not respond to the call out will be subject to disciplinary action up to, and including dismissal. Pay for overtime on Sundays and holidays shall be on the following basis: Two and one-half (2 ½) times the hourly pay rate for work on legal holidays, and two (2) times the hourly pay rate for the seventh consecutive day of work. On other days, pay for overtime shall be one and one-half (1 ½) times the hourly rate for work hours in excess of forty (40) hours in a seven (7) consecutive day period. "Overtime work" shall be defined as authorized work in excess of forty (40) hours in any seven (7) day pay period. Vacations and sick leave are not to be considered as work time for the computation of overtime.

5.3 EXEMPT EMPLOYEES - Exempt employees shall not be paid overtime They may be granted compensatory time off by arrangement with the City Manager

CHAPTER 6 - LEAVE

VACATION LEAVE 6.1

Effective Date: January 2016

Eligibility – Full-time employees are eligible to begin taking accrued vacation leave upon completing six (6) months of full-time service.

Vacation Time Accrual –Vacation time will be accrued based upon employee's hire date for full time employment and shall begin accruing immediately following the first pay period of full time employment. An employee's vacation accrual rate is based upon tenure as a full time employee, and will accrue at the end of each pay period based on the following:

Years of Service	Bi-weekly Accrual Rate	Maximum Annual Accrual	Maximum Accumulated Vacation Balance
1 mo – 60 months (5 yrs)	3.08	80 hours	120 hours
61 mo – 120 months (10 yrs)	4.62	120 hours	180 hours
121 mo – 240 months (20 yrs)	6.16	160 hours	240 hours
241+ months (20+ yrs)	7.70	200 hours	300 hours

At the end of each pay period accrued vacation time is credited to employee's usable balance. No employee shall be granted vacation leave in excess of the employee's accumulated vacation leave.

Maximum Annual Accrual – During the calendar year, employees may accrue a maximum of paid vacation time based on the allowances defined in the table above.

Maximum Accumulated Vacation Balance - The maximum amount of accumulated vacation is 1.5 times the maximum annual accrual based on an employee's maximum annual accrual. When an employee's vacation balance reaches the maximum allowed, vacation time accrual will cease. Vacation time accrual will resume only when the vacation time balance is reduced to less than 1.5 times that employee's maximum accrual. Any vacation time not accrued will be forfeited. All extraordinary circumstance exceptions will be decided by the City Manager.

Holidays During Vacation -Holidays occurring during a vacation period shall not be charged against the employee's vacation time.

Scheduling of Vacations -Vacation leave may be granted by the department director at such times that will least interfere with the normal operation of the department, but with due consideration given to the desires of the employee. Vacation leave shall be taken in 1-hour increments. Increments less than 1 hour will require the approval of the department director.

Compensation for Vacation Leave -Vacation is paid at the employee's hourly pay rate at the time of vacation leave. Vacation hours are not included in the calculation of overtime for payroll purposes. Employees will not be paid for any unused vacation, except upon separation of employment.

Pay Out – Upon separation of employment an employee shall be paid for accrued vacation leave at the rate of pay the employee was receiving at the time of separation. Upon the death of an employee, vacation leave will be paid to the estate of the employee.

Promotions, Demotions, Department Transfer Employees - Employees being laterally transferred, promoted, or demoted shall retain accrued vacation leave. Part-time employees that transfer to a full-time position shall begin to accrue paid vacation immediately following the first pay period of full time employment and will be eligible to take vacation upon successful completion of their six (6) month full-time probationary period. Part-time employees may not earn or accrue paid vacation leave

6.2 GROUP HEALTH INSURANCE AFTER TERMINATION CONSOLIDATED OMNIBUS RECONCILIATION ACT (COBRA) - The federal government has recently enacted the Consolidatd Omnibus Reconciliation Act of 1985 (COBRA) which allows certain individuals the option of continuing their group health insurance under specified conditions.

An employee and his dependents are eligible to continue insurance for up to 18 months when termination of insurance is due to a reduction in hours worked, or upon termination of employment. An employee's dependents are eligible to continue their insurance for up to 36 months upon the occurrence of the following events:

(a) The spouse and children upon the death of the covered employee.
(b) The spouse, upon divorce or legal separation from the employee.
(c) The spouse and children of Medicare-eligible employees, when the employee ceases to participate in the employer-sponsored plan.
(d) Dependent children when they cease to be a dependent child under the definition in the policy.

The insurance cannot be continued beyond any of the following dates:

(a) The date on which the employer ceases to provide any group health plan to any employee. If a group health insurance policy ceases to be in force with regard to employees of the employer, it would be the employer's obligation to allow the employee or his dependent(s) to continue coverage under any replacing group policy or policies.
(b) The date the premium is not paid by the individual.
(c) When the individual becomes covered under any other group health plan, or is entitled to Medicare benefits.
(d) In the case of a spouse, when the spouse remarries and becomes covered under another group health plan.

If an employee's insurance terminates, or is about to terminate, his employer will provide him with a Continuation of Coverage Election Form which will enable him and his spouse to elect or reject continuation of group health coverage. An employee is responsible for providing his employer with current information as to his family status (i.e. separation, divorce, or dependent ineligibility for coverage).

An employee's election to continue coverage must be completed within 60 days after he receives this Continuation of Coverage Election Form, or his termination date, whichever occurs last. Benefits provided shall be identical to coverage provided for active full-time employees and dependents who have insurance under the plan but have not yet terminated their coverage. The cost to continue coverage is paid for by the individual. Within 180 days before the expiration of his continuation of coverage, he shall have a right to convert to a conversion policy if such a policy is a part of the group health plan at the time of his termination and is being offered to other active full-time employees under the plan.

Questions regarding an employee s right to continue insurance after his termination date should be addressed to the administration for resolution

6.3 MILITARY LEAVE - Any classified full time employee who is a member of a military

This section has been modified. Please see modified text at the end of this Chapter.

6.4 SICK LEAVE POLICY - Sick leave is paid time away from work due to a bona fide illness or injury that prevents the employee from working, for visits to the doctor or dentist, or to care for 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. Sick leave with pay is not a right; it is a courtesy of salary continuation extended to employees. Sick leave is only to be used when actually warranted and approved. Improper use of sick leave shall be cause for disciplinary action as outlined in our Personnel Policies & Procedures Manual.

Eligibility. All full-time employees begin accruing paid sick leave upon their initial hire date. Part-time, temporary and seasonal employees do not accrue sick leave. Full-time employees who are in their initial orientation period may use accrued sick leave only if approved by their supervisor and/or Department Director. An employee who is released for and offered light duty by the City, but who elects not to accept such assignment, will generally be ineligible for paid sick leave benefits.

Accrual Rate. Sick leave for employees shall be computed on the basis of one (1) working day for each full calendar month of service/employment, so as to total twelve (12) working days to a full-time employee's credit each 12 months. Sick leave accrues only during periods in which the employee works or is otherwise on an approved paid leave status.

Maximum Accrual. The maximum sick leave time which may be accumulated by any employee shall be 90 work days or 720 hours.

Authorized Use of Sick Leave. An employee eligible for sick leave with pay shall be granted such leave for the following reasons:
(1) Personal illness, illness in connection with childbirth, injury, or absence necessitated by exposure to contagious disease so that the health of fellow employees may be endangered by attendance on duty.
(2) Injury or illness of a member of the employee's family that requires the employee's personal care and attendance. Employee's family is defined as:
• Members of the ***same household*** related to each other by blood or marriage and living in a bona fide family relationship, and who are either:

- o Legal dependents of the employee, or
- o Spouse, parent, child, brother, sister, father-in-law, and mother-in-law, or
- o Another relative who has been in a parent-child relationship to the employee.

NOTE: In the event of a life-threatening illness or injury of the employee's family member who does not meet the definition of "family," the City Manager may authorize the employee to use up to 240 hours of accrued sick leave.

Minimum Increments. Sick leave must be taken in minimum increments of one hour. Time for illness/sickness taken in increments of less than one hour will be accounted for by departmental policy.

Sick Leave Donation. *In special circumstances it is possible for employees* to donate sick leave to other employees to aid those employees who have exhausted their sick leave balance. All leave donations will be in accordance with the city's Leave Donation Policy.

Use of Other Leave. If approved by the Department Director (and in the case of Department Directors, by the City Manager), employees who have successfully completed their initial probationary period may use accrued and available vacation time, other accrued paid leave, or leave of absence without pay, but only if an employee has no accrued sick leave time. Earned compensatory time may also be used with proper advance notice to the supervisor. The usage of any compensatory time must also not create any genuine disruption to the department's operation in order for the compensatory time to be approved.

Documentation. Employees requesting paid sick leave must record their time appropriately via timesheet, time clock or Incode Time Entry and submit it to their supervisor for approval. An employee may be required to present satisfactory proof of illness/injury that prevents the employee from working whenever sick leave absence for 3 or more consecutive work days is used, 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 and/or injury 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. Abuse of sick leave may result in discipline up to and including termination of employment.

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.

Elective Payment for Unused Sick Leave. Full-time, regular City employees shall be eligible for a payout for a portion of unused sick leave each fiscal year . Sick leave benefits are primarily to aid the employee during a period of personal illness when they themselves or a family member is incapacitated for a period of time. However, to serve as an incentive to encourage employees to guard their health and well being and to receive proper medical attention at the onset of any illness, employees shall have the option to be paid out for a percentage approved by City Council of their sick leave balance for any earned but unused sick leave based upon their normal daily pay rate for each day of earned but unused sick leave to be paid out. Days that are "paid out" will be deducted from the employee's sick leave balance from that point forward and the only way to replenish the sick leave balance would be through the accrual/earning of sick leave as per the Accrual Rate section of this policy. This payment shall be made no later than the first pay period of December of each year.

Any military leave will be reviewed for sick leave incentive pay eligibility on an individual basis by the City Manager in accordance with USERRA and applicable state law.

Failure to Report Absence/ Abuse of Sick Leave. Supervisors closely monitor 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, 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 or injury may be disqualified from using sick leave for their absence. Please refer to Discipline, Attendance and Work Hours sections of the Personnel Policy & Procedures Manual for more information.

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 their Department Director to work a second job.

Payment Upon Separation. Employees who resign or retire with two-week notice will be ***paid 13.5% for all accrued but unused Sick time for the current Fiscal Year***. (This does not include transition sick bank days). Conversely, Employees who terminate voluntarily without adequate two-week notice are not entitled to payment for accrued but unused sick time.

SPECIAL CONDITIONS SECTION FOR STAFF WITH "TRANSITION SICK BANKS"

Employees that have accumulated an excess of 720 sick hours will have said hours moved into a separate account for each of these employees called a "Transition Sick Bank" or "TSB". This bank will be administered separately from the sick leave bank, but will work in conjunction with that sick leave bank under certain conditions. Transition sick bank hours are a benefit afforded these employees and can be used to bring Extended Disability Benefits up to the 100 percent level. TSB hours can be used after all accrued sick time is exhausted or to cover any approved periods of FMLA leave for the employee. FMLA leave can include unpaid leave time for the serious health condition of the employee as well as a family member and can also be for qualified family member military leaves (FMLA leave is defined in Administrative policy #9) It is important to understand that hours cannot be accumulated in the TSB in the future. Hours can only be accrued in the regular sick bank by employees going forward. TSB time is always to be used after the employee's regular sick bank has been exhausted or for an FMLA qualifying event. TSB time can never be "paid out" to employees in lieu of taking the time. Post this policy's implementation date and the implementation of applicable employee TSB's, no new TSB's are to be created, accrued or accounted for any new employees in the future. TSB time cannot be transferred to an employee's regular sick leave balance and TSB time cannot be used for sick leave donations to other employees.

<u>6.5 EXTENDED DISABILITY LEAVE</u> - After exhaustion of all sick leave vacation used as sick leave the following extended disability plan will take effect commencing on the lst calendar day after the date when sick leave is exhausted if employee has been continuously disabled thereafter from a non-occupational disability: (With approval of City Manager)

YRS. OF SERVICE	AMOUNT OF PAY	MAXIMUM TIME PERIOD	ADDT'L AMT. OF PAY	MAXIMUM TIME PERIOD
1 - 2	1/4 pay	15 working days	-0-	-0-
3 - 5	1/2 pay	30 working days	-0-	-0-
6 - 10	1/2 pay	40 working days	-0-	-0-
11 – 15	1/2 pay	50 working days	1/4 pay	30 work days
16 – 20	3/4 pay	60 working days	1/2 pay	60 work days
21-over	3/4 pay	70 working days	1/2 pay	60 work days

No benefits will be paid under this plan for disability directly or indirectly due to intoxication, or to the use of stimulants, drugs or narcotics without the prescription of a licensed physician; or to fighting unless in self-defense against unprovoked assaults; or to the willful intent of an employee to injure himself.

AUTOMATIC SEPARATION FOLLOWING EXHAUSTION OF SICK LEAVE, VACATION AND EXTENDED DISABILITY LEAVE (Non-Occupational Injury/Illness) - An employee who is unable to return to work at the end of a 30 calendar day period following the exhaustion of all sick leave, vacation and extended disability leave (if applicable) may be automatically separated on the 31st day.

6.6 INJURY LEAVE - WORKMEN'S COMPENSATION - If an employee of the city is injured in the course and scope of his employment and is unable to perform his duties, he shall be compensated in accordance with the Texas Workmen's Compensation Act.
(a) Workmen's compensation benefits are provided pursuant to Texas Workmen's Compensation Laws and Regulations.
(b) Should an employee sustain an on-the-job injury; injury leave pay that combines with workers compensation income benefits to equal an amount that is equivalent to the employee's normal base pay for a period not to exceed 120 working days (not to exceed one calendar year for sworn police personnel) will be allowed.
(c) When an employee is injured on the job, the manager or supervisor shall immediately report this accident to the department director who will provide pertinent factors to insure that Workmen's compensation claim notices can be submitted. Where an accident results in very serious bodily injury or death to an employee, the manager or supervisor shall notify the department director immediately, either in person or by telephone.
(d) While on workers compensation injury leave away from work, any applicable Family Medical Leave (FMLA) will run concurrently with the leave and the time will count towards FMLA maximum allotted leave amount.

6.7 CITY'S RIGHT TO FILL VACANT POSITION - After an employee is off work for seven (7) days and will be off for an extended period of time, the department director can review with the Director - Human Resources the necessity to fill the vacant position. If the position is determined to be of a nature requiring it to be filled, then the City Manager will approve replacement activities. When the employee on workers' compensation obtains a full release, they can be considered for re-employment if there is an appropriate open position available. Said employee shall continue to receive all workmen's compensation benefits that they are eligible for.

6.7 CITY'S RIGHT TO FILL VACANT POSITION - After an employee is off

This section/sub-section has been replaced or updated in previous or subsequent sections of the manual.

6.8 MATERNITY LEAVE - Maternity leave will be treated like any other illness.

6.9 FUNE

This section has been modified. Please see modified text at the end of this Chapter.

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6.10 HOLI

(a)

(b)

(c) Birthday holidays may not be taken in advance of an employees birthday and may not be delayed more than thirty days afterwards.

(d) Part-time employees shall be paid their regular rates on a holiday only if required to work. No payment shall be allowed an employee for holiday work not specifically authorized by a department director.

(e) An employee who is absent on the day immediately preceding or following a holiday(s) shall lose pay for the holiday(s) as well as pay for that day except as follows:

1. He is on shift and the day before or after a holiday(s) is his day off.

2. He is on vacation and the holiday(s) falls within that vacation time period.

(f) In the event the City Council declares a special holiday, it shall be observed as provided above.

(g) Employees wishing to observe national or religious holidays not listed hereon shall at their option be given time off without pay or have the time charged to their vacation.

Sub-section (h) has been added at the end of this Chapter.

6.11 LEAVE OF ABSENCE - Department directors with the approval of the City Manager may grant leaves of absence without pay to regular employees, not to exceed ninety (90) days. Employees shall request leave of absence in writing two (2) weeks in advance. Leave may be requested for any legitimate purpose but no leave may be granted an employee who has not completed his probation period.

6.12 INDEFINITE LEAVE (SUSPENSION)

(a) When a department director suspects that the physical condition of an employee constitutes a hazard to persons or property, he may request the employee to submit to a medical examination by the City Health Doctor for the sole purpose of determining his physical condition relative to city employment. Employees who take examinations that are required shall be paid for such day. If an employee is found unable to perform the assigned duties, he shall be relieved of his duties until such time as he is certified by the City Health Doctor that he may return to full duty.

(b) During investigation, hearing, or trial of an employee on any civil cause or criminal charge, when in the best interest of the city, an employee may be suspended.

(c) A department director may recommend to the City Manager indefinite suspension of an employee at any time for just cause ascertained after careful and factual consideration.

Amended and Added Sections and Subsections

6.9 **FUNERAL/BEREAVMENT LEAVE** Full time employees who have completed their probationary period may be granted up to three (3) days of paid leave to attend or arrange the funeral and/or settle the final affairs of an immediate family member. The three (3) days referred to herein are to be taken during the thirty (30) calendar day time period immediately following the death of the immediate family member. Probationary employees do not qualify for bereavement leave but may utilize unpaid leave for bereavement purposes with Department Director approval.

Bereavement leave will be paid at the employee's regular rate of pay and those hours will not be factored into the computation of overtime. If any additional time off is needed by the employee for related business then the employee may use vacation, comp time or leave without pay with department head approval. The supervisor and/or department head may require the employee to provide proof of death such as an obituary notice.

A member of the ***immediate*** family shall be limited to: spouse, children, father, mother, brother, sister, father-in-law, mother-in-law, brother-in-law, and sister-in-law and grandparents of the employee or his spouse by consanguinity. It shall also include half-brothers, half-sisters as well as step family members (specifically step mothers, fathers, sisters, brothers, step-children and step-grandparents).

Amended and Added Sections and Subsections

Amended Chapter 6, Subsection 6.10(h): Holiday Leave.

6.10 HOLIDAY LEAVE -

(a) The following days are recognized as city observed holidays:
New Year's Day
The Friday immediately preceding Easter Sunday
Memorial Day
July Fourth
Labor Day
Thanksgiving Day
The day after Thanksgiving
Christmas Eve
Christmas Day
Employee's Birthday
One "Floating Holiday" (after a minimum of six months of employment)
****Only full-time employees are eligible for holiday leave and employees become eligible for the floating holiday after completing six months of full-time employment.**

(b) Any of the above holidays (except Birthday and Floating holidays) falling on Saturday or Sunday will be observed, for all employees, on the date designated by the City Manager for such holidays. In view of the continuous nature of the city's operations, some employees must be assigned to work on these holidays. Non-Exempt employees who may be required to work on these days will be paid double-time and one-half, except that those employees who normally work on a "shift schedule" shall be considered as working on a holiday only when the majority of his/her particular shift falls on the holiday.

(c) Birthday holidays may not be taken in advance of an employee's birthday and may not be delayed more than thirty days afterwards (unless city business operations necessitate a longer period after the employee's birthday).

(d) Part-time employees shall be paid their regular rates on a holiday only if required to work. No work time will be assigned to a part-time employee for holiday work not specifically authorized by a department director.

(e) Employees who are absent on the day immediately preceding or following a holiday(s) shall lose pay for the holiday(s) as well as pay for that day except as follows:

1. They work a shift schedule and the day before or after a holiday(s) is their day off.
2. They are on vacation and the holiday(s) falls within that vacation time period.

(f) In the event the City Council declares a special holiday, it shall be observed as provided above.

(g) Employees wishing to observe national or religious holidays not listed in this policy may at their option be given time off without pay or have the time charged to their vacation.

(h) Paid holiday (non-worked) leave is not included as hours worked for purposes of calculating overtime.

(i) The "floating holiday", must be scheduled and taken during the calendar year and shall not be subject to carry-over or payment if not used. Each employee in cooperation with his/her Department Head, must designate which day they desire to take as a floating holiday. Newly eligible employees will schedule their floating holiday with Supervisor approval after completing six months of employment and becoming eligible for the floating holiday.

(j) Please note that there may be departmental rules that govern when floating holidays can be scheduled throughout the year.

(k) Holidays and Floating holidays must be taken during the calendar year are not subject to carry over or payment if not used.

Amended Section 6.3 - Military Leave

6.3 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.

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 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 as far in advance of the leave as possible.

Paid and Unpaid Leave for Training and Duty.

> **Full Pay For Up to 15 Days.** Any classified full time employee who is a member of a military reserve organization which requires participation in a training program will be granted a leave of absence by the city for such training. Reimbursement for such leave will be made to the employee upon a signed statement of the commanding officer in the amount not to exceed normal pay of fifteen (15) working days less the military pay received for the same period.. This leave may be used when an employee is engaged in National Guard or U.S. armed forces reserve training or active military duty ordered or approved by proper military authority. The paid leave days may be consecutive or scattered throughout the year.
>
> **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.
>
> **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.

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

benefits.

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 the employee's reemployment rights expire, whichever event occurs first, for the employee and eligible dependents.

Upon an employee's return to employment following military service, the City will provide health insurance coverage immediately. 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.

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, the employee will be treated as though continuously employed for purposes of determining benefits based on length of service, such as vacation accrual and longevity pay.

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.

Returning from Leave.

Return to Work: A person returning from service must report back to work or apply for reemployment within the time constraints prescribed by USERRA. The City shall re-employ a returning veteran according to the provisions of USERRA.

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 the employee intends to return to work following military leave depends upon how long the employee's military service lasted:

A) For service of less than 31 days, employees have 8 hours following their release from service to report for their next scheduled work period.

B) For service between 31 days and 180 days, employees have 14 days following their release from service to apply for reemployment.

C) For service of more than 180 days, employees have 90 days following their release from service to apply for reemployment.

These deadlines may be extended for 2 years or more when an employee suffers service-related injuries that prevent the employee from applying for reemployment or when circumstances beyond the employee's control make reporting within the time limits impossible or unreasonable.

Required Documentation. To qualify to return to work, an employee returning from leave must provide documentation of the length and character of 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.

Military Leave Request Form

Employee Requesting Leave: _____

Department Name: _____

Dates Leave Requested: From: _____ To: _____

To: _____
Department Director

I hereby request Military leave as outlined in the City of Deer Park's Military Leave policy.

In accordance with the Military Leave policy I have provided notice to my Supervisor within 24 hours of receiving my military orders and/or this is an emergency military situation where short notice of deployment was provided.

I understand that I will receive up to 15 days of military leave pay reimbursement from the city and this reimbursement will be normal pay less any military pay I've received for the military deployment.

I acknowledge that I intend to return to work at the end of the military leave period.

_____ _____
Employee Signature Date

Reviewed by:

_____
Human Resources

CHAPTER VII

EMPLOYEE GRIEVANCE PROCEDURE

7.1 AGGRIEVED EMPLOYEES - Any employee having a grievance relating to his employment shall first present his grievance to his immediate supervisor, either orally or in writing.

7.2 DUTIES OF SUPERVISOR - The supervisor receiving a grievance has a duty to listen with care to the employee, to arrive at a full understanding of his point of view, and to give the employee a clear and specific answer. If he believes the grievance to be of a substantial nature and not to have been settled to the full satisfaction of the employee, the supervisor shall make an immediate record in writing of the facts and report the grievance to the department director.

7.3 APPEAL BY EMPLOYEE - An employee who, after discussing a grievance with his immediate supervisor and not being satisfied with the answer may appeal the grievance to the department director and the City Manager. Any appeal to the latter shall be made in writing.

7.4 APPEAL BY DISCHARGED EMPLOYEE - Should an employee of the city be discharged from his employment, such employee shall have the right to appeal said action and seek reinstatement within fourteen (14) days after date of discharge, by filing a written notice and request for reinstatement with the City Secretary. Such request/notice shall contain a statement requesting reinstatement, the circumstances under which the discharge occurred and the reasons pertinent to, or the objections to such discharge becoming final. Provided the request/notice is found to be in compliance with the City Charter, the discharged employee will be notified of such and steps will be taken to form an Arbitration Committee for the purpose of investigation and inquiry.

7.5 APPEAL BY CANDIDATES - A candidate for employment who is refused employment may appeal to the City Manager. Such an appeal shall be made in writing.

CHAPTER VIII

CONDUCT, DISCIPLINE AND REWARDS

8.1 MISCONDUCT OF EMPLOYEES GENERALLY -

(a) The city provides employment and means of livelihood for many people, representing a substantial investment on the part of the citizens. To protect the safety and welfare of employees, preserve their means of livelihood and to provide for the protection of the city, rules against the possible sources of danger have been established and penalties for violation of the rules have been provided. The following acts jeopardize the safety and welfare of all citizens and employees are of such serious nature as to warrant immediate dismissal from employment:

(aa) Being in a partially or completely intoxicated state or under the influence of narcotics, or introducing, possessing or using intoxicating liquor or narcotics while on assigned duty.

(bb) The offense of deliberately sleeping while on duty regardless of the circumstances.

(cc) Possessing deadly weapons while on duty, members of the police department excepted.

(dd) Stealing or malicious mischief resulting in personal injury or loss of property to other employees of the city.

(ee) Defrauding or attempting to defraud the city.

(ff) Fighting or attempting bodily injury to another. An employee will not, however, be penalized for defending himself when attacked.

(gg) Sabotaging or deliberately damaging or removing the property of the city or committing any malicious acts which may hinder city services.

(b) The following irregularities also are considered serious and will result in dismissal, unless mitigating circumstances justify less drastic action:

(aa) Participation in any form of gambling or lottery at any time on duty or participation in any form of gambling or nongambling game at any time on city time, when it interferes with the job.

(bb) Insubordination which will be deemed to include refusal or failure to perform work assigned.

(cc) Harboring a disease which endangers a fellow employee.

(dd) Negligence endangering the life of a fellow employee or resulting in loss of property to the city.

(ee) Falsification of or refusal to give testimony when accidents or irregularities are being investigated.

(ff) Immoral, indecent or offensive conduct or undue familiarity.

(gg) The use of abusive language toward other employees.

(hh) Leaving the job without proper relief or permission.

(c) In case of the following acts of misconduct, for a first offense the employee will receive either a letter of reprimand referring to this section of the Personnel Manual or a disciplinary layoff depending on the circumstances of the case. Three (3) letters on file within any twelve (12) month period against any one employee will result in dismissal of the employee. After twelve (12) months service from date of the last letter, all letters shall be removed from an employee's record.

(aa) Negligence or carelessness while on duty.

(bb) Failure to pay just debts and accounts or make satisfactory arrangements with creditors in lieu of payment of execution of wage assignments which becomes a nuisance to the city.

(cc) The listing of unverified information on city reports or making operation errors.

(dd) Making solicitations without the city's approval.

8.2 ABSENTEEISM - A work policy has been adopted that states that over 5 separate incidents of absenteeism taken at random in a one year period, is excessive. Employees who practice this type of absenteeism can expect counselling, letters of reprimand, evaluations, denial of pay increases, and possible termination as a result of such practice.

8.3 ACTS OF MISCONDUCT NOT LISTED - In the event an employee commits an act not specifically listed in this chapter and in doing so jeopardizes the safety and welfare of the citizens and employees, the department director may recommend dismissal when in the best interest of the city.

8.4 DISCIPLINARY ACTIONS - Disciplinary action shall be taken only by department directors or by supervisors with the approval of the department director. Discipline is restricted to the following actions:

a. Face to face oral admonishment and warning made in such terms that the employee clearly understands it to be a warning
b. A written letter of reprimand addressed to the employee warning him of a violation such a letter to be retained for twelve 12 months
c. Leave without pay
d. Demotion to include assignment to other shifts, hours of work or tasks
e. Dismissal

8.5 RECORDING REPORTING OF DISCIPLINARY ACTIONS - The department director shall make a written memo of record of his reasons for any disciplinary action of the four kinds set out in these rules. A copy of this record shall be transmitted to Human Resources as a permanent record for inclusion in the file of the employee concerned.

8.6 REWARDS - Department directors and supervisors have a duty to identify recognize and reward outstanding performance by employees including productivity in quality or quantity of work qualities of leadership special courtesy and good service to the public and the like. The rewards may include oral or written commendations pay increases and promotion. Copies of commendations shall be sent to Human Resources as a permanent record for inclusion in the file of the employee concerned.

CHAPTER IX

ACCIDENT INVESTIGATION BOARD

9.1 ACCIDENT INVESTIGATION BOARD POLICIES - The Accident Investigation Board has adopted the following policies for action to be taken, etc.

As of May 23, 1979, the Accident Investigation Board has adopted the following policies for action to be taken if a city employee is found at fault in an accident while operating a city vehicle.

1. LENGTH OF SERVICE

0 - 3 years	10 points
4 - 6 years	7 points
7 - 10 years	3 points
11 - 20 years	0 points

2. NUMBER OF PRIOR (AT FAULT) ACCIDENTS WITHIN A 3 YEAR PERIOD

2 or more	10 points
1	5 points
0	0 points

3. PERCENTAGE OF FAULT

100%	10 points
50%	5 points
0%	0 points

Employees who spend 80% or more of their time driving or operating city vehicles will accumulate points to be deducted from their penalty points depending on the number of hours driven that day up to the time of the accident.

Less than 1 hour	minus 1 point
1 to 2 hours	minus 2 points
2 to 3 hours	minus 3 points
3 to 4 hours	minus 4 points
4 to 5 hours	minus 5 points
5 to 6 hours	minus 6 points
6 to 7 hours	minus 7 points
7 to 8 hours	minus 8 points
8 to 9 hours	minus 9 points
9 and over	minus 10 points

4. REIMBURSEMENT TO THE CITY FOR DAMAGES -

Three repair estimates will be obtained by the city. Twenty-five percent (25%) of the damages will be paid by the employee, with a maximum employee payment of $1,000.00. Payment can be made through payroll deduction.

5. DISCIPLINARY ACTION

5 - 16 points	Letter of accident in personnel file
17 - 25 points	Suspension days without pay
26 - 30 points	Termination of employment

Letter of accident will automatically be made a permanent part of the employee's personnel file.

This system works on a point system, the total number of points against an employee determines the disciplinary action taken.

CHAPTER X

SAFETY REGULATIONS

The following Safety Regulations and/or suggestions have been established in order to better protect all city employees from injury. They have been established in order to let employees know what safety equipment is available and should be used. All city employees should conduct themselves in a business like manner. Under no circumstances will horseplay or any other conduct which could cause injury to yourself or other employees be tolerated.

I. CITY SHOPS AND WORK AREAS

1. Maintain clean and orderly working areas.
2. Make sure proper tools are used for repair jobs.
3. All tools are to be in good working condition.
4. All grinding, sanding, drilling, or welding machines shall be equipped with proper eye protection - safety guards and/or shields.
5. Flammable chemicals shall be so marked and kept separate from other materials.
6. All spilled chemicals, ie: grease and/or oil shall be properly cleaned up.
7. All mechanics, when working under vehicles, should wear some type of eye protection.
8. Fire extinguishers shall be installed and properly charged.
9. No unauthorized personnel shall operate Shop machinery.
10. All vehicles operated by Shop employees shall have access to first aid kits and fire extinguishers.

II. PUBLIC WORKS, PARKS & RECREATION, UTILITIES & ALL OTHER FIELD EMPLOYEES

1. When employees are working on streets (example - repairing or mowing), they shall be equipped with safety vest and proper street marking (example - fluorescent cones or barricades).
2. All employees should have access to fire extinguishers and first aid kits.
3. All Field employees shall have the option of wearing hard hats unless required by supervisor (example - working in trench or ditch).
4. All drivers of vehicles are to check vehicles for safe operating condition and report any defects to Shop.
5. When employees are welding, spraying chemicals, mowing, edging, using sledge hammer or jack hammer, proper eye protection shall be worn (example - safety goggles or glasses).
6. Employees riding in back of pickup trucks shall remain seated in bed of truck until it arrives at working area.
7. Employees using tools and/or machinery shall make sure they are in good working condition and are proper for the job.

III. JANITORIAL STAFF

1. Make sure tools and equipment used are in good condition and are proper for the job.
2. Make sure electricity is off before cleaning or changing bulbs in light fixtures.
3. Make sure ladders instead of chairs, are used for additional height.
4. Make sure vehicles they operate are in proper condition.
5. Shall have access to first aid kits and fire extinguishers for vehicles.

IV. WATER WELLS, TREATMENT PLANTS, CHEMICAL STORAGE

1. Proper breathing devices and eye protection shall be readily available for handling of any deadly gas (example - chlorine).
2. Proper covered storage and anchorage of chemicals shall be maintained (example - flammable separated from non-flammable).
3. There shall be proper ventilation of deadly gases and chemicals.
4. All work and storage areas shall be kept clean and free from obstruction.
5. Proper warning signs shall be installed where necessary (example - no smoking or dangerous chemical storage signs).
6. All steps shall be kept free from debris and proper hand-rails shall be installed.
7. Fire extinguishers shall be installed at all water wells and treatment plants.

V. OFFICE PERSONNEL

1. Maintain a clean and obstruction free work area.
2. Use proper electrical outlets - do not overload.
3. Do not have extension cords or electrical cords out where they could cause an accident.
4. Turn all electrical machinery off when not in use.
5. Never leave more than one file drawer open at a time when using cabinets.
6. Wipe up any liquid spills which may cause someone to slip and fall.
7. Know how to operate the machines you are using and make sure they are in proper working condition.
8. Storage areas should be kept clean and shelves shall not be overloaded.

VI. SANITATION DEPARTMENT

1. Pickup men shall stand on back of truck, or proper standing area, holding onto handrails.

2. Employees should not jump on or off of trucks while moving.
3. Trucks shall be equipped with first aid kits and fire extinguishers.
4. Truck drivers shall make sure truck is in safe operating condition and shall report any hazards to Shop.
5. All drivers shall operate trucks at safe speeds and shall be knowledgeable of Texas driving regulations.
6. Sanitation crews shall wear protective gloves.
7. Sanitation crews should check weight of load before lifting garbage bags. Also, check for protruding objects which could cause cuts or abrasions.

CHAPTER XI

SUNDRY MATTERS

11.1 RETIREMENT PLAN - As of September 1, 1987, there is no longer a maximum age for enrollment, therefore, any person employed in a position that normally requires at least 1,000 hours per year must be enrolled in TMRS as a condition of employment. (Information may be obtained in the office of the City Secretary)

11.2 PROBATION PERIODS - Every full time employee shall be on probation for his first six months of work, except the Police Department which is twelve (12) months. When the employee first reports for work, he shall be notified of the fact that he will be on probation for the first six or twelve months. During that time, the supervisor shall observe his work with particular care, train, and advise the employee in the performance of his duties, and let him know whether he is progressing satisfactorily. A department director may extend probation periods if he sees fit.

11.3 EMPLOYEE ORIENTATION - The department director and supervisors have a duty to orient all new employees. Such orientation training includes the duties of the position, hours of work, relationship to the other employees, safety precautions, the rights and obligations of an employee, and information about the units and department. The new employee should be made welcome and be encouraged to ask questions, especially during his first weeks at work. He shall also be given a set of these rules and shall sign a statement that he has received a Personnel Manual. The statement will become a part of his personnel record.

11.4 CHANGE OF STATUS - All employees shall report change of address, telephone number, number of dependents, marital status, name and the like to their respective department directors and to the office of the City Secretary.

11.5 MOONLIGHTING - Full-time employees shall not hold other positions of paid employment without the prior written approval of their respective department director. Such approval may require that the employee be available on call for emergency duty. A copy of an approval of outside employment shall be sent to the office of the City Secretary for inclusion in the employee's file.

11.6 RETURN OF PROPERTY - At the time of separation and prior to receiving the final paycheck, an employee shall return all tools, uniforms, or other city property issued to him in the course of his employment. If he does not return this property, it will be charged against his final pay.

11.7 POLITICAL ACTIVITY - All employees shall refrain from using their influence publicly and directly in any way for or against any candidate for elected office of the City Government. All employees shall refrain from seeking or accepting nomination or election to any public office that provides remuneration for the same (Article 16, Sec. 40, Constitution, State of Texas)

11.8 PRIVATE BUSINESS - Employees shall not engage in private business activities during their working hours and shall not use city property or facilities for such activities.

11.9 COFFEE BREAKS - Employees may take two (2), fifteen (15) minute daily coffee breaks using the city facilities. At no time can an employee use this special time to run errands or to leave the area of their work place.

11.10 USING CITY POST OFFICE BOX FOR PERSONAL MAIL - Employees shall refrain from using the city's post office box or street address for personal mail deliveries.

11.11 STATEMENTS TO NEWSPAPERS & OTHER MEDIA - Statements or interviews to the newspapers and other public information media shall be cleared by the City Manager before such statements or interviews are made.

11.12 CARE OF CITY PROPERTY - Employees will be held strictly accountable for the care and condition of all city property and rented equipment under their control, and for the economical use of supplies.

11.13 LOITERING - Persons other than those transacting city business will not be permitted to loiter in city offices or about city buildings.

11.14 CAMPAIGNING, SOLICITING, ETC., AMONG EMPLOYEES - The promotion of outside interests may interfere with work and distract the attention of employees from their duties. Consequently, on city time during working hours, no person may campaign politically or distribute literature for candidates. Further, they may not solicit, collect, or sell tickets, chances or merchandise or make collections for employees or their families, or promote any outside interests, unless authorized by the department director.

11.15 MEMBERSHIP OF EMPLOYEES IN LABOR ORGANIZATIONS - The city will not discriminate against any employee because of membership or non-membership in any labor organization, nor will intimidate or coerce employees into joining or withdrawing from any labor organization.

11.16 READING WHILE ON DUTY -In the interest of efficiency and safety, employees shall not read magazines, newspapers or books while on duty. This does not include technical magazines, bulletins, etc., which may be assigned reading as a part of the employee's duties. The hours an employee spends on the job belong to the taxpayers of the city and should be spent in and for the best interests of the city.

11.17 PERSONAL PHONE CALLS - Personal phone calls shall be limited to three (3) minutes. Long distance calls may be made in case of an emergency only with approval of the department director.

11.18 USE OF CITY PROPERTY - No employee shall use city equipment, supplies, or facilities for any purpose other than the conduct of official city business.

11.19 SPECIAL CONSIDERATION TO OTHERS - No employee shall grant any special consideration, treatment, or advantage to any citizen, individual, or group beyond that which is available to all citizens.

11.20 PERSONAL CONDUCT - All employees shall maintain a high level of personal conduct both on and off the job.

11.21 USE OF BULLETIN BOARDS - Bulletin boards are a convenient means of conveying information of interest to employees. To confine them to their proper use and to maintain their attractiveness, material may be posted on bulletin boards in the foyer of City Hall or Coffee Bar with permission of department directors and approval of the City Secretary.

11.22 FINANCIAL OBLIGATIONS - Employees of the city shall pay their just debts.

11.23 EMPLOYEE HARMONY - Employees of the city shall conduct themselves in a manner that will foster the greatest harmony and cooperation with each other. Gossiping about another employee will not be tolerated. Employees shall not conspire in a derogatory manner toward any supervisor, foreman, department director, City Manager, Mayor, or any member of the City Council. Any degrading or scandalous statements made by any employee to another, shall be constructed and interpreted as evidence supporting a conspiracy.

11.24 CHANGE OF ADDRESS - Employees of the city shall keep the office of the City Secretary notified of their correct address, mailing address if different than their home address, telephone numbers and shall report any changes of the same within twenty-four hours after making such changes.

11.25 OFF DUTY ILLNESS - When an employee is off duty due to illness or injury, that employee will be expected to be at home or enroute to or from the doctor's office. In the event a department director checks on an employee to determine the extent of his illness and finds the employee is not at home, the department director will make a written report of his findings to the City Manager. At no time will an employee spend his off duty illness or injury time traveling outside of the city unless it has been approved by the department director.

11.26 DISCIPLINE GENERALLY -

a. Employees may be disciplined for dishonesty, drunkeness, immoral conduct, insubordination, discourteous treatment to the public or fellow employees. Violation of personnel rules and policies, failure to report a vehicle accident, fraudulent use of sick leave, conviction of a felony charge, any other failure of good behavior, or an accumulation of minor infractions.
b. Any employee who violates any of these personnel regulations shall be dealt with promptly.

RESOLUTION NO. 2003-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK REVISING THE PERSONNEL POLICY MANUAL OF THE CITY OF DEER PARK BY ADDING THE EMPLOYEE TRAVEL POLICY.

WHEREAS, The Personnel Policy Manual of the City of Deer Park was adopted by Resolution 80-4, dated February 22, 1980; and

WHEREAS, The Personnel Policy Manual was revised by a Resolution of the City Council dated November 3, 1987; and

WHEREAS, The City Council of the City of Deer Park desires to revise the Personnel Policy Manual by adding the Employee Travel Policy, **NOW THEREFORE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS:

Section 1. The Personnel Policy Manual of the City of Deer Park is hereby revised by adding Chapter 12 so that it shall hereafter include the Employee Travel Policy attached hereto and made a part of this Resolution for all purposes.

Section 2. The Personnel Director of the City of Deer Park is hereby directed to revise the Personnel Policy Manual by adding the Employee Travel Policy.

DULY PASSED, APPROVED, AND ADOPTED this 20 day of May, 2003.

MAYOR, City of Deer Park, Texas

ATTEST:

CITY SECRETARY

APPROVED:

CITY ATTORNEY

CITY OF DEER PARK, TEXAS

CHAPTER 12 - TRAVEL AUTHORIZATION AND EXPENSE POLICY
Revision Dated 1-12-14

I. Purpose and General Guidelines

To protect the interests of the City and to insure uniform application, this policy is established to govern expense allowances granted for all City travel. This policy covers travel allowances for all employees, volunteers, committee members and any other designated representatives (collectively, "travelers") who travel on City business, which shall include out-of-town stays, one-day conferences, and same day travel.

All travelers are expected to exercise good judgment in the use of City funds when conducting business on behalf of the City.

Due to budgetary constraints, a department director has the discretion to set more restrictive policies for travel, but the departmental policies may not exceed the limitations allowed in this travel policy.

Any violation of this policy may result in disciplinary action up to and including termination of employment.

II. Travel Authorization

Authorization of all City travel shall be made in accordance with the following guidelines. Before making any trip, the traveler must submit a “Travel Advance and Reimbursement Summary” form stating the nature of the trip, destination, times and dates of the official leave and including estimates for the total cost of the trip.

A. Prior approval from the department director or his/her designee is required for business travel and/or training for department employees, volunteers, committee members, or designated representatives.

B. Prior approval from the City Manager or his/her designee is required for business travel and/or training requests that exceed the approved training budget in any given fiscal year.

III. Travel Advance and Reimbursement Summary Form (Exhibit A)

Twenty-one (21) calendar days prior to departure, the traveler should complete and submit the “Travel Advance and Reimbursement Summary” form in order to receive a travel advance prior to their travel date.

Information to be provided on the form includes the traveler's name, department, destination, date and time of departure and return, purpose of the trip, per diem request and transportation information (e.g., transportation costs, lodging costs, and other miscellaneous expenses). A copy of a conference itinerary should be attached, if applicable.

The traveler must sign the form and submit it to department director (or City Manager, if applicable) for approval.

IV. Covered Expenses

A. Meals

Travelers will be reimbursed for meal expenses while traveling on City business. Travelers may select to be reimbursed on the basis of (1) actual expenses or (2) per diem. For each trip, one method or the other is to be used – they cannot be combined.

1. Actual Expenses

Because the costs of meals may vary significantly, there are no set dollar limitations. However, travelers are expected to keep meal costs reasonable. Receipts must be provided and document the date, place, meal order detail and cost (including tip not to exceed 15%).

2. Per Diem

In place of reimbursement for actual meal expenses, a flat meal allowance (per diem) will be provided. Per diems do not need to be supported by meal receipts.

a. A per diem for meals and incidental expenses (M&IE) will be the primary method for covering expenses for out-of-town business travel and/or training.

b. The per diem allowance covers meals, tips, and other miscellaneous expenses, and receipts are not required.

c. The per diem allowance will be calculated on the following basis:

	In-state	Out-of-state
Daily Per Diem (M&IE) Total	$56.00	$66.00
First and Last Day of Travel	$42.00	$49.50
Per Diem 25% Reduction per meal	$14.00	$16.50

Any amount requested "over and above" the standard per diem must include justification for the additional expenditure(s) and will be based upon the approval and judgment of the department director.

d. Meals provided by the hotel or event sponsor should be utilized. The M&IE per diem amount should be reduced by the amount of each meal (25%) included in the registration, conference fee or hotel rate, unless one of the following applies:
* The traveler is unable to consume the furnished meal(s) because of medical requirements or religious beliefs;
* The traveler was unable to take part in the furnished meal due to the conduct of official business.
* Welcome receptions and continental breakfasts are not considered as meals provided.
* To assist with the determination of which meals were provided during a conference, a copy of the agenda (meeting schedule) must be included with the travel reimbursement request.

e. If certain circumstances, such as unique dietary needs, make it necessary for the traveler to forego the provided meal, the traveler may then claim up to the maximum per diem meal allowance. **In such cases, the receipt(s) and a written explanation are required.** The traveler must indicate all such meals purchased in lieu of the meals provided by the hotel or event sponsor.

f. For venues that require the purchase of a meal ticket or meal plan, a per diem will not be authorized for the days covered by the meal ticket or meal plan. The traveler must indicate all meals covered by the meal ticket or meal plan.

B. Registration fees will be paid directly by the City through the accounts payable process. Travelers are encouraged to take advantage of early registration to obtain the best discounted rate available. Travelers are encouraged to avoid writing a personal check or using a personal credit card for registration fees.

C. Transportation

1. Airfare – The least expensive coach class airfare will be considered standard air travel. Travelers are encouraged to take advantage of early reservation discounts to obtain the best rate available. Other classes of airfare may be used only if advance purchase, non-refundable tickets are no longer available.

   Air travel is usually more economical in time and money when making a long trip. The City will pay for roundtrip, coach class airfare in advance through the accounts payable process or via charge to a City procurement card. If the traveler is not a procurement card holder, arrangements should be made with the department director to arrange payment for the airfare on a department procurement card. All procurement card receipts should be forwarded to the department record keeper.

While travelers may use other forms of transportation, the City will not reimburse more than the equivalent of the total cost of coach class airfare plus reasonable ground transportation from the airport to the hotel or event. For example, if the use of a personal vehicle results in a $500 cost for mileage and the combination of airfare and a shuttle to the event costs $450, the traveler will only be reimbursed for $450.

Vehicle Rental – Car rentals are sometimes the most expensive mode of transportation; therefore, local transportation such as taxis, shuttles, etc. should be utilized whenever possible. If a car rental is necessary, the traveler shall rent the most economical car available that will satisfactorily meet their needs. If shuttles are available from the airport to the hotel and/or between the hotel and the conference, a car rental will be deemed unnecessary, unless approved in advance by the department director. If available, a City procurement card should be used for payment of the rental car. A receipt is required for all rental car transactions. All procurement card receipts should be forwarded to the department record keeper.

If a rental car is used, the traveler may be reimbursed for gasoline, but all payment receipts are required.

The City's Auto Physical Damage insurance includes coverage for the temporary use of a rental car. Travelers should get a copy of the City's insurance card prior to making the trip so there is no need to buy the additional coverage offered by the car rental agency.

2. Personal Vehicle (no car allowance) – Use of a personal vehicle for business travel may be approved in accordance with Section II of this policy. The City will pay for the use of a personal vehicle in accordance with the current mileage rate in Administrative Policy #4, but the total expense shall in no case exceed the cost of standard coach airfare. If an applicable airfare is not available, the City Manager shall determine the total mileage allowance.

   Every traveler taking a personal vehicle is responsible for their own insurance as the City will not be liable for any physical damage or liability costs incurred in the event of an accident.

   In the event a traveler has car failure while traveling out-of-town on City business, the City will reimburse the traveler for the expense of towing the vehicle to a garage, repair shop, or car dealership. The City will not reimburse the traveler for the cost of repairs to a personal vehicle. A receipt is required for reimbursement of towing services.

   When two (2) or more travelers to the same destination plan to travel by personal vehicle, they are encouraged to carpool. When two (2) or more City representatives travel in a single automobile, only one (1) City representative may receive reimbursement for mileage or any other allowable automobile expenses.

When the use of a personal vehicle for out-of-state travel is approved for the convenience of the traveler, lodging, meals, and other expenses will be allowed on the same basis as if the attendee traveled by air.

Round trip mileage should be calculated using the City Hall address of 710 E. San Augustine as the starting and ending location. Mileage should be rounded to the nearest mile based on anything above 0.5 miles being rounded up and anything less than 0.5 miles being rounded down. The City reserves the right to question any mileage reimbursement requests and will verify any mileage that appears out of line based on the destination.

3. Personal Vehicle (Car Allowance) – Mileage reimbursement will not be authorized for an employee's use of a personal vehicle traveling within the City or within Harris or Chambers County if the employee receives a monthly car allowance from the City.

   In the event a traveler has car failure while traveling out-of-town on City business, the City will reimburse the traveler for the expense of towing the vehicle to a garage, repair shop, or car dealership. The City will not reimburse the traveler for the cost of repairs to a personal vehicle. A receipt is required for reimbursement of towing services.

4. City Vehicles – Use of a City vehicle may be approved under certain circumstances. When use of a City vehicle is approved, the purchase of gasoline, oil, and other routine supplies and/or emergency repairs for the vehicle will be allowed. The use of a City vehicle must be noted on the Travel Advance and Reimbursement Summary Report. A receipt is required for reimbursement of any allowable expenses.

D. Lodging - The City will pay for adequate lodging for the actual number of days of the event. Travelers are encouraged to arrange for payment of lodging in advance through the accounts payable process or via charge to a City procurement card. If the traveler is not a procurement card holder, arrangements should be made with the department director to arrange payment for the lodging on a department procurement card. All procurement card receipts should be forwarded to the department record keeper.

   Travelers are encouraged to reserve lodging in the same hotel where the event is located to minimize ground transportation fees.

   Lodging per night shall not exceed the actual room cost plus tax.

E. Telephone Calls - The City shall allow reimbursement for necessary business calls and reasonable communication with family while traveling on City business.

F. Parking Fees - The City shall allow reimbursement for parking fees (e.g., at the airport, hotel, or conference) while traveling on City business.

G. Ground Transportation (taxi, bus or shuttle service) - The City shall allow reimbursement for taxi, bus, shuttle or other reasonable methods of ground transportation while traveling on City business.

H. Toll Fees - The City shall allow reimbursement for toll fees that are incurred while traveling on City business. Note: City vehicles are not exempt from toll charges, and any toll violations incurred while traveling in a City vehicle will be the responsibility of the traveler.

I. Course Material - The City shall allow reimbursement for tapes or publications related to and purchased at the seminar, conference, or training.

J. One-Day Conferences or Same Day Travel
Prior approval from the department director or his/her designee is required for business travel and/or training for City representatives to attend one-day conferences. Same day travel (including one-day conferences) is not subject to a per diem allowance. The traveler will be reimbursed for eligible expenses upon return from the event. Receipts are required for reimbursement.

K. Upon approval of the request for business travel and/or training, a completed Travel Advance and Reimbursement Summary form must be submitted to the Finance Department twenty-one (21) calendar days prior to the event to ensure adequate processing time for the travel advance.

V. Procedures for Travel Advance / Reimbursement

A. Travel Advances

1. Estimated expenses should be included on the initial travel expense form.

2. Travel advances may be picked up no earlier than five (5) working days in advance of the scheduled departure.

B. Reimbursement

1. Within five (5) working days after returning from an event, the traveler should complete the reconciliation of the Travel Authorization Form, attach all receipts and submit the form to the department director for approval. Note: the traveler must include an explanation for any missing receipts. The department director shall then forward the form to the Finance Department within three (3) working days following approval.

a. If the traveler is due a reimbursement, payment shall be processed in the subsequent Accounts Payable process.

b. If money is owed to the City, payment shall be made to the City within five (5) working days after returning from the event. Payment should be made at Central Collections, and the payment receipt should be attached to the Travel

Authorization Form. Note: if it is later found that more money is owed to the City, the traveler will be responsible for payment within five (5) working days of notification that an additional payment is due to the City.

c. A traveler will not be issued a travel advance if the reconciliation of any prior travel remains outstanding and/or if any amount owed to the City remains unpaid at the time a new travel advance is requested. Special circumstances may be approved by City Manager.

d. At the end of each calendar year, if the reconciliation has not been completed for travel advances older than 30 days, any amount advanced will be treated as taxable income and will be reported as such to the IRS.

VI. Non-Allowable Incidental Expenses

A. The City of Deer Park will not provide reimbursement for the following expenses:

1. Alcoholic beverages.
2. Spouse / family member travel expenses.
3. Tips (note: all tips are included in the daily per diem).
4. Laundry or cleaning services.
5. Movie rental, hotel pay television and/or videos.
6. Health clubs and spas.
7. Sporting events.
8. Theater or movie tickets.
9. Printed material such as magazines and books for personal use.
10. Personal items.
11. Hotel mini-bar items (e.g., candy, drinks, water, snacks, etc.).
12. Traffic tickets or fines (including toll violations).
13. Purchase of clothing, gifts, etc.

B. In the event that a non-allowable incidental expense is inadvertently purchased using a City procurement card, the traveler shall reimburse the City immediately upon returning from the event. A receipt for these purchases must also be provided.

VII. Travel for Non-Exempt Employees

A. When a non-exempt employee is assigned to travel out-of-town on a <u>one-day assignment</u>, travel time is paid (as the travel is part of the activity the employee was hired to perform on the workday in question). However, the travel between the employee's home and the airport (or bus/train station) may be deducted, as it falls in the "home-to-work" category.

B. When a non-exempt employee is assigned to travel out-of-town overnight, travel that occurs outside of the employee's regular working hours as a passenger in an automobile, or on an airplane/train/bus, is not paid time unless the employee performs required work during that travel time (i.e., work on a laptop computer). Travel away from home overnight is clearly work time when it cuts across an employee's regular work day (normal working hours) because the employee is substituting travel for other duties.

C. If the employee is required to drive, or be a passenger assigned as an assistant or helper, the employee must be compensated for the travel time. Any work that an employee is required to perform while traveling must be counted as hours worked; this includes driving or assisting/helping the driver.

D. An employee required to operate a motor vehicle (car, pickup truck, dump truck, etc.) out-of-town in order to get to a work assignment away from the City will be paid for travel to the location away from the City.

E. An employee who is a passenger in a motor vehicle driven out-of-town in order to get to a work assignment away from the City will not be paid for travel to the location away from the City unless the employee-passenger is required to perform work while being driven to the location away from the City or the travel time cuts across the employee's normal work day.

F. An employee who requests and is permitted to drive a vehicle out-of-town (in lieu of travel by public transportation) outside of the employee's normal working hours, in order to work away from the City, will not be paid for the travel time to the location(s) away from the City.

G. Questions regarding specific circumstances for non-exempt employee travel should be referred to the Human Resources Department **prior** to travel.