POLICIES AND PROCEDURES MANUAL

City of Round Rock, Texas

ROUND ROCK TEXAS

2026

FOREWARD

AUTHORITY

This policy manual contains statements of Human Resources policies and philosophy. The policies are established by the City Manager, and any deletions, amendments, revisions, or additions to the policies must be approved by the City Manager. This manual is designed to be a working guide for supervisory and non-supervisory staff to ensure equitable treatment of all employees.

Policies contained in this manual are intended to provide guidance on most situations that may arise. They do not constitute part of an employment contract, nor are they intended to make any commitment to any employee concerning how individual employment actions can, should, or will be handled. In cases where circumstances are not specifically addressed by policy, the Human Resources Department should be contacted.

Policies are subject to revision and/or further development in response to growth, changes in employment law and the changing environment. The City of Round Rock reserves the right to delete, change, add and/or revise this manual at any time for any reason without notice. The Policy Manual is reviewed annually and updated as necessary.

IMPLEMENTATION

The City Manager is responsible for the administration of Human Resources policies and procedures. The City Manager may delegate authority to appropriate staff members, including Department Directors, to act on his or her behalf in the administration of these policies and City procedures.

With exception of matters of appointment and other personnel actions reserved to the City Council by statute or charter provision, final authority, in the form of review and approval, is reserved to the City Manager with regard to all personnel matters and subjects covered by these regulations.

Managers and supervisors are expected to notify the Human Resources Department when clarification is needed in the administration of Human Resources policies or procedures. Any questions concerning eligibility for a particular benefit, or the applicability of a policy, should be addressed to the Human Resources Department.

These policies completely replace and supersede any and all personnel policies previously adopted, individually or as a set of policies, by the City Council. In addition to these Human Resources policies, departments may establish departmental rules and regulations that relate specifically to their departments, as long as they do not conflict with these policies and are not less stringent than these policies. You should refer to those documents for specific information.

APPLICABILITY

These policies apply equally to all employees of the City except the City Manager, City Attorney, and Municipal Judge, unless a class of employees is specifically exempted by these policies.

In cases where federal or state laws or regulations supersede local policy for specific groups of employees, such laws or regulations will substitute for these policies only insofar as necessary for compliance.

APPROVAL

Brooks Bennett, City Manager	10/1/2026 Date

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Chapter I
GENERAL INFORMATION

SECTION 1: EMPLOYMENT AT-WILL

Employment At-Will

These policies are not contractual in nature. The City of Round Rock operates under the legal doctrine of "*employment-at-will*". Neither this policy manual nor any other City document confers upon an employee any contractual right, either expressed or implied, to remain in the City's employment. Employment is not for any specific time and may be terminated by the City at will, with or without cause and without prior notice, and an employee may resign for any reason at any time. No supervisor or other representative of the City has the authority to enter into any agreement for employment for any specified period of time or to make any contrary representation to any employee.

SECTION 2: GENERAL OFFICE POLICIES

Office Hours

All City offices are to be open between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except on authorized holidays. Adjustments to the normal hours of operation of City facilities or departments may be made by the City Manager or designee.

Flexible Hours

All employees are expected to report at a predetermined time unless prior arrangements have been approved by management. At the Department Director or designee's discretion, flexible work hours may be approved for an employee, provided there are sufficient staff to conduct business between the regular work hours. The Department Director or designee may change the work hours back to the original hours at any time if the workload of the department warrants or the employee abuses the privilege. Flex time should be between 7:00 a.m. and 6:00 p.m. It is the responsibility of the Director to have in place a mechanism by which he/she knows at all times the whereabouts of each employee during the workday.

Lunch Time

Public Service employees are entitled to unpaid time off for meals during each eight-hour shift. The uninterrupted meal period should not be less than thirty minutes, nor more than one hour, as established by the supervisor and employee depending on workload needs. Nonexempt employees must not eat lunch at their desks. Lunch time taken at the desk or while performing productive work must be recorded as time worked. Supervisors should ensure that these situations do not occur unless absolutely necessary. As a general rule, the lunch hour is not intended to be taken at the start or end of the day.

Breaks

As the workday permits, employees may be allowed a short period of paid time away from work duties of not more than fifteen minutes. Rest periods should be taken in approximately the middle of each four (4) hour shift.

Employees should recognize that breaks are a privilege and not an entitlement.

Rest periods, or portions thereof, will not be accrued to be used at other times.

Pay Period

The pay period starts on Sunday and ends on Saturday of the second week. The payday for the City is bi-weekly (once every two weeks). Checks are issued on alternate Fridays for each 14-day period. If the payday falls on a holiday, checks will be issued on the last working day preceding the holiday.

Pay Overage/Pay Shortage

Employees are expected to review their paystub after a change in pay occurs to ensure accuracy. In the event a pay overage or pay shortage occurs on an employees' pay, it is the employee's responsibility to notify HR regarding the issue. In some cases, HR may identify the issue and contact the employee. For pay shortages, the City will issue reimbursements to the employee the pay period after being notified of the issue.

For pay overages, the City may deduct the full amount over multiple pay periods after either identifying or being notified of the error. The number of pay periods for the deduction will be determined by the amount owed the City. Employees authorize the City to take deductions from their paycheck until the amount of the overpayment is paid in full.

No reimbursements/deductions will exceed twelve (12) months from the date the pay overage/shortage is reported to or discovered by HR.

Smoking

The City of Round Rock is a smoke-free workplace. Employees and visitors are prohibited from smoking inside City buildings and outside within fifteen (15) feet of any entrance or open window of public places. Employees are also prohibited from smoking in City vehicles.

The use of tobacco products (i.e. chewing tobacco, snuff, nicotine, or any derivative of tobacco/nicotine, etc.) or electronic cigarettes is prohibited in City owned vehicles, public areas or where groups of people frequently gather. These include reception areas, meeting/conference rooms, training rooms, offices, restrooms, and break rooms.

Violation of this policy shall result in disciplinary actions, up to and including termination. Additionally, an employee may be held financially responsible for deterioration or destruction of City owned vehicles or property resulting from the use of tobacco products.

Employment Verifications

All requests for references or verifications of past or present employment history shall be referred to the Human Resources Department (HRD). Employees are not authorized to comment on other employees' (past or present) work history, job performance, eligibility for re-hire, etc. If any governmental representative visits an office in person, notify HRD for instructions on how to proceed. This does not include requests for background checks.

Standard Workweek

The official workweek for employees in City departments for which separate work periods are not established, either in this policy manual or written memorandum approved by the City Manager, is a seven-day period beginning Sunday at 12:00 a.m. and ending on the following Saturday at 11:59 p.m.

Work Schedule Police Department

The Police Chief sets the work schedule for police personnel and notifies them in writing of their work schedule assignments.

The term "tour of duty" is a unique concept applicable only to Section 207(k) employees. This term refers to periods of time when a patrol officer is considered to be on duty for the purpose of determining compensable hours. The time may be scheduled or unscheduled. Scheduled time includes "shifts" and is the time the employee is regularly assigned. Unscheduled time is spent in work outside the "shift." Even though the specific work performed may not have been assigned in advance, the time must be included in the compensable tour of duty.

In accordance with the exception allowable under Section 207(k) of the Fair Labor Standards Act (FLSA) and 29CFR, Part 553, the City has established a 14-day work period for specified police personnel.

The official work period for patrol officers consists of 14 days with shifts following a pre-established pattern. Each officer on each shift is allowed one (1) hour for a meal break during the shift, during which the officer carries a radio and may be required to return to work before the meal break is over if an emergency arises.

The City anticipates the need for each officer to work additional unscheduled hours during each 14-day work period, as needed and called upon, for such reasons as emergencies, court appearances, or other necessary duties. Each officer works a total of eighty (80) scheduled hours per work period.

Work Schedule Fire Department

The Fire Chief sets the work schedule for fire personnel and notifies them in writing of their work schedule assignments.

In accordance with the exception allowable under Section 207(k) of the Fair Labor Standards Act (F.L.S.A.), the City has established a 14-day work period for its firefighters.

The official work period consists of 14 days with each tour consisting of 48 scheduled hours, followed by 96 hours off. Any change in this official work period requires the approval of the City Manager.

Each firefighter on each tour reports for duty at the beginning of the scheduled tour, and is on duty, including meal breaks, for the entire 48 hours, for a total of 106 regularly scheduled hours worked per 14-day work period. Hours worked in excess of 106 hours per 14-day work period are eligible for overtime.

SECTION 3: SAFETY

Safety Policy

Actions that cause or contribute to any unsafe and unhealthy working conditions or create a hostile work environment by presenting direct or indirect acts of physical or verbal violence against employees, visitors, or other individuals on City property, at service locations, or in the course of carrying out City business, will not be tolerated.

Employees are responsible for notifying their supervisor and HRD of any threats which they have witnessed, received or have been told that another person has witnessed or received. This includes behavior that could be interpreted as threatening.

Any person who makes a substantial threat, exhibits threatening behavior, or engages in violent acts on City property shall be removed from the premises as quickly as safety permits and shall remain off City premises pending the outcome of an investigation.

Employees shall follow safe working practices, obey adopted health and safety rules and regulations, and work in a way that maintains the highest safety and health standards developed and sanctioned by the City.

Employees must report all hazardous or potentially hazardous situations and unsafe working conditions to their immediate supervisor.

All accidents, incidents, near misses, unusual occurrences, and environmental events shall be reported, recorded, and investigated in accordance with the City Safety Manual.

Health & Safety Program

City Departments shall develop and implement programs and guidelines in accordance with the City Safety Manual, the applicable regulatory standards, and related industry practices to achieve competency and satisfaction and to ensure that all City employees are fit for duty.

City Departments shall take the initiative to conduct an assessment in order to identify relevant employee needs.

Department Directors shall appoint individuals to serve on the Safety Committee.

The Risk Manager and the Department representatives shall identify required programs and establish goals and objectives.

The Risk Manager identifies available resources and provides guidance throughout all phases of the program.

A plan must be submitted to the Department Director and to the Risk Manager for review and approval.

Risk Management Plan

Each department shall develop and maintain a Risk Management Plan to include specific guidelines and standard acceptable practices. Contractors and involved City departments shall accept the mutual responsibility for safety, health, and the environment throughout all phases of anticipated activities and operations.

The Safety & Risk Management Division will work with all departments on Health and Safety practices and provides technical support and assistance.

Accident & Injury Reporting

All accidents/incidents must be reported using the City of Round Rock Incident Report which is available on the Human Resources department page.
This completed form should be forwarded to HRD and will be used by safety staff to assist them in eliminating hazards and preventing similar accidents.

Operation of City Owned, Personally Owned and Rental Vehicles for City Business

The following is applicable to all employees of the City of Round Rock who drive a City, personal or rental vehicle while conducting official City business:

- must be at least 18 years old;
- all employees must have a current Texas driver's license that is appropriate for the vehicle they are operating;
- all occupants shall use safety belts while the vehicle is in motion;
- all speed limits shall be observed, and speed should be reduced to a safe driving speed during inclement weather;
- drivers shall use good defensive driving techniques;
- employees should never drive while under the influence of medication, alcohol or drugs which cause drowsiness, or while in poor health which could endanger their lives or the lives of others;
- drivers are representatives of the City of Round Rock and are expected to drive courteously;
- while on travel status, employees shall not use the City of Round Rock vehicle for personal reasons;
- any traffic violation involving a City of Round Rock vehicle must be reported immediately to their supervisor. It is the responsibility of the employee to pay for traffic violations, including parking tickets. Failure to resolve such traffic violations will result in disciplinary action, up to and including termination;
- drivers of City of Round Rock vehicles are responsible for conducting a pre-trip inspection including checking for body damage, oil level, coolant level, and other under-the-hood maintenance during fuel stops or on a daily basis and must remove all debris from the vehicle at the end of the day; and
- drivers of City of Round Rock vehicles are expected to accurately reflect trip records and mileage.

Traffic Accidents

In the event of a traffic accident:

- employee should not leave the scene of the accident until instructed by a police officer or the employee's supervisor;
- employees have a duty to provide reasonable aid and assistance to an injured person if it will not put the employee's personal safety at risk;
- employees should make no comment or statement other than that required by law enforcement officers;
- activate warning/safety lights on the vehicle;
- any traffic accident involving a City of Round Rock vehicle must be reported immediately to the local police or highway patrol, and as soon as possible to their supervisor; and
- employee injuries occurring during the course of work, including travel, must be reported within 24 hours to the Risk Management Division.

Use and Care of City Property

City property and equipment shall be used for official business only. The use of any City equipment outside of official business purposes will be grounds for disciplinary action, up to and including termination.

City-owned or leased property and equipment is defined as all tools, equipment, (including vehicles, computers, phones, and mobile equipment), and materials/supplies exclusively intended for use on official business in the City of Round Rock.

Examples of City property and equipment include, but are not limited to:

- Tools-such as hand tools (hammers, wrenches, shovels/rakes, etc.) and power tools (circular saws, drills, belt sanders, etc.);
- Equipment-such as gas-powered equipment (chainsaws, weed eaters, generators, etc.) and mobile equipment (lawnmowers, tractors, gators, etc.);
- Materials/Supplies-such as bolts/nuts, topsoil/sod, paper/office supplies, and other associated work items; and
- Office equipment (copiers, shredders, audio/visual, etc.).

Official business is defined as all work performed by employees for City directed purposes.

Responsibilities

Employees are responsible for the care and maintenance of all City property and equipment assigned to them. Employees shall not entrust City property and equipment to anyone to be used for any reason other than City directed purposes.

Employees observing the use of City property and equipment outside of official City business and in conflict with this policy must report the incident to their Supervisor immediately.

Supervisors are responsible for maintaining inventory lists and monitoring the usage of all City property and equipment assigned to their employees. If a Supervisor determines that an employee has misused City property and equipment in such a way that conflicts with this policy, the Supervisor must immediately report the incident to the Division Manager/Department Director for further action.

Loss Prevention

City employees must report all accidents and unusual events resulting in loss or damage to City property or private property due to individual accidental losses and losses that are of a catastrophic nature.

All employees must protect and preserve the City's assets, resources and service capabilities from loss, damage, theft, destruction, or depletion.

Enforcement

Employees may be held financially responsible for the misuse, loss, deterioration, and destruction of City property and equipment.

Violation of this policy shall be grounds for disciplinary action, up to and including termination. Violations may also be subject to legal action.

SECTION 4: OFFICIAL CITY COMMUNICATION

Media Inquiries

When questions arise from the news media, a reasonable effort should be made to answer or address them in a timely manner, generally within the business day. The employee shall tell the media member they will forward the request to the Communications Director or relevant public information officer to ensure the media member will receive a prompt response.

Employee Responsibility

A City employee who is contacted by the news media shall notify their supervisor and all staff who might be affected by the inquiry, giving them the details of the situation and possible implications. The employee shall ask the media member the following questions: What is your story about? What is your deadline?

Notification

The employee, their supervisor or their Department Director shall promptly forward the information to the Communications Director, as well as the City Manager's office. After consultation, the appropriate person will be designated to reply to the media inquiry.

Social Media

City employees wanting to create and maintain Department-specific social media accounts separate from the City's accounts must obtain approval from the Department Director and the Communications Director.

Departments must provide specific reasons for maintaining separate social media accounts. If approved, the Department Director and Communications Director will periodically review each account. Those that do not meet the City's intended goals and objectives may be removed at any time.

SECTION 5: COMPUTER & PHONE USE

Technology Use

Because the City of Round Rock is a public agency, internet traffic is subject to open records laws and should be used with this fact in mind. The City of Round Rock extends to employees the ability to use its computers, network, and phones for limited personal, non-commercial use.

Movement of Equipment

All movement or relocation of any computer equipment is to be handled by the Information Technology Department. The proposed movement or relocation of computers, printers, telephones, etc. must be coordinated in advance via the Help Desk system.

System Passwords

Employees are not to disclose any password(s) for which they are responsible, or use any transaction, software, files, or resources to bypass security controls.

Email

Email is retained by the City of Round Rock Information Technology Department for six months as a convenience to those with accounts. It is the employee's responsibility to comply with applicable open records retention schedules and backup messages that they wish to keep for more than six months.

Physical Device Security

Physical security is defined as taking the appropriate measures to protect the City issued equipment itself and the data that is on it. Examples of City issued equipment, include but is not limited to, laptops, tablets, mobile phones, etc.

It is the employee's responsibility to follow the City's guidelines to ensure City equipment is properly protected.

- Avoid leaving City issued equipment in the car. If you must leave equipment in a vehicle unattended, place it in the trunk or somewhere out of sight.
- Do not leave City issued equipment unattended in public places, such as restaurants, airports, and hotels.
- Avoid storing passwords and pin numbers with your device.
- Ensure that the device is configured to auto-lock and requires a password to login and access data.

The IT Department provides encryption options for supported operating systems. If your City issued equipment is stolen or lost, please contact the IT Department immediately so appropriate action can be taken.

Cybersecurity Awareness

All city employees are required to complete yearly Cybersecurity Awareness Training provided by the IT Department. Training will consist of an online training module and test. Employees will receive a link, once a year, via email that will take them to the required course and test. Each employee will be given a two (2) week period to complete the training. If an employee fails to complete the training within the two-week period, their City login account will be suspended. Once an employee's account is suspended, they will need to

contact IT and complete the training within 24 hours to get their account reinstated.

Misuse of Information Technology resources may result in the restriction of computing privileges and/or disciplinary action. All existing laws or policies apply, not just those specific to technology, but also those applying to personal conduct.

Prohibitions

Examples of misuse include, but are not limited to, the following:

- Attempting to monitor or tamper with another user's electronic communications, or reading, copying, changing, or deleting another user's files or software without the explicit agreement of the owner;
- Using a computer account, you are not authorized to use;
- Obtaining a password for an account without permission of the owner;
- Gaining unauthorized access to any computer systems;
- Knowingly performing an act which will interfere with technology operations;
- Violating terms of applicable software licensing agreements or copyright laws; and
- Deliberately wasting computing resources.

Prohibited Technology

Pursuant to Senate Bill 1893, employees are prohibited from installing or operating the social media service Tik Tok or any successor application or service developed or provided by ByteDance Limited, or an entity owned by ByteDance Limited on any City-owned devices, including cell phones, tablets, desktop and laptop computers, and other internet capable devices. Employees may not install or operate these applications on any personal device that is used to conduct City business. The City's Covered Applications and Prohibited Technology Policy is located on Employee Net.

SECTION 6: CITY IDENTIFICATION

Identification (ID) Badge

The City of Round Rock photo ID badge will be issued to all full-time and part-time City employees to be worn while on official business for the City of Round Rock.

Photo ID badges must be worn in accordance with departmental directives or carried on the employee in situations where wearing/displaying the identification badge poses a hazard to personal safety.

New ID Badge

Photographs for ID badges will be taken, and the ID badge will be issued by Human Resources on the employees' first day of work. ID badges for Police Department employees will be issued at the department.

ID Badge for Contractor/Temps and Interns

Director approval is required for the length of time the badge will be in service. ID badges must be turned in to General Services on the last day of work.

ID Misuse

Employees are responsible for the care and proper use of City issued photo ID badges.

ID Use

City ID badges are issued for official use only and are not to be used for obtaining special privileges other than local merchant-sponsored discounts, etc.

ID Abuse

Photo ID badges shall not be altered or defaced in any manner including affixing stickers or tags. Photo ID badges shall not be lent to others.

Abuse, tampering, altering, or unauthorized use of the City photo ID badge may result in disciplinary action, up to and including termination.

Replacement ID

Lost and damaged badges must be immediately reported to the supervisor, who will then contact General Services for replacement.

Surrender Upon Termination

Employees shall surrender their ID badge upon termination to their supervisor. ID badges must be turned in to General Services on the last day of work.

SECTION 7: INCLEMENT WEATHER

Policy

Employees are expected to report for duty at the hour regularly assigned for their workday. If weather conditions are such that personal judgment prevents the employee from coming to work or causes them to be late, the employee should notify the supervisor 30 minutes prior to the start of the workday.

The City will report the closing/reopening of City offices on the City Web site and with local media outlets.

Public service employees who normally work weekend hours will follow the department procedure on delays/closures for inclement weather.

It is the employee's responsibility to periodically check to determine if the City offices have closed/reopened and to receive instructions on returning to work.

Absences from Work

If City offices are open and weather conditions cause employees to lose time, the supervisor may account for the absence by:

- Authorizing leave time for which the employee is eligible (i.e., vacation); or
- Authorizing leave without pay.

City Offices Closed

If City offices are closed due to adverse weather conditions:

- Non-emergency services personnel scheduled to work will not report to work, but will be considered as working for pay purposes during the hours City offices were closed; and
- Emergency services personnel will be expected to report as scheduled unless otherwise notified by their supervisors.

Emergency Services Personnel

For purposes of this policy "Emergency Services Personnel" are defined as:

- Police Officers, Firefighters, and Communications Operators who are scheduled to work during the hours City offices are closed due to inclement weather; and

- Employees whose regular duties require them to respond to emergency situations in order to take corrective actions and employees who are regularly scheduled to work during the hours City offices are closed due to inclement weather.

Emergency Services Personnel reporting to work as scheduled will be paid at their normal rate of pay.

Non-Emergency Personnel

Non-exempt, Non-Emergency Services Personnel who are not scheduled to work during the hours that City offices are closed due to inclement weather, but who are called to report for work during an emergency situation, will receive their normal rate of pay for those hours and will receive overtime pay only for actual hours worked in excess of the normal work week.

Non-Emergency Services Personnel who are not called to report for work during the hours that City offices are closed due to inclement weather, but who report to work anyway, will receive their normal rate of pay for those hours and will receive overtime pay only for actual hours worked in excess of the normal work week.

SECTION 8: TRAVEL GUIDELINES

Policy

Employees who travel on official City business or to promote the interest of the City are to be reimbursed for necessary and reasonable travel-related expenses. The nature of such travel includes attendance at professional association meetings, representing the City at various governmental and/or regulatory bodies, participating in professional development educational activities, and involvement with other agencies performing similar tasks.

- Traveling away from home is defined as duties which require an employee to be away from the general area of his/her tax home

substantially longer than an ordinary day's work and the employee needs to sleep or rest to meet the demands of his/her work while away from home. This travel must be authorized in advance in accordance with the City's travel procedures. Travel advances or travel reimbursements are based upon the most economical conveyance that is reasonably available.

- Local Travel is defined as travel to and from an employee's home during the same day. As a general rule, reimbursement for meals related to Local Travel is not allowed. If unusual circumstances arise where meal reimbursement and mileage for Local Travel is necessary, reimbursement may be made in accordance with the City's travel procedures.

Authorization

Prior approval is an integral part of the travel policy. Employees who travel on City business and incur expenses are eligible to receive expense reimbursement subject to prior approval in accordance with the City's Travel Procedures Manual. Emergencies or required weekend trips where it is impractical to get prior approval may be an exception.

Reimbursement

Travel reimbursements may be made in accordance with appropriate Internal Review Service (IRS) and General Service Administration (GSA) publications and the City's Travel Procedures Manual. A Travel Request must be submitted in accordance with the Travel Procedures Manual.

Prohibited Reimbursement

Costs of personal entertainment, spouse's expenses, amusements, alcoholic beverages, traffic citations, personal items or illegal activities will not be reimbursed. Expenses due to vacations or personal trips in conjunction with City travel are not reimbursable. Adequate travel time is allowed, but travel expenses are not paid for absences not required by City business.

Exceptions

Employees who travel in a City-owned vehicle should use the fuel card provided with that vehicle. When traveling out of town in a City-owned vehicle, employees will be reimbursed for the documented actual cost of fuel, oil, or other expenses related to the safe operation of the vehicle.

When two or more employees travel in a personal automobile, only one employee will receive per-mile or other automobile reimbursements.

Fraudulent Claims

Fraudulent claims or failure to provide required documentation supporting travel, travel advances, claimed expenses, or reimbursements within required time frame(s) may result in one or more of the following actions:

- Denial of any and all claimed travel expenses, advancements and reimbursements resulting in traveler paying or reimbursing the City for all travel costs;
- Payroll deduction as authorized by the traveler when requesting travel, travel advances, or reimbursements; or
- Disciplinary action, up to and including termination.

Relocation Reimbursement

The Department Director may approve travel and/or moving expenses involving applicants, new employees, or transferred employees for reimbursement, with approval from the City Manager.

Reimbursements are determined on a case-by-case basis and approval is dependent on market demands and the business needs of the City. Applicants or new employees who are traveling to Round Rock to interview for a specific position or who are moving to Round Rock for the express purpose of commencing employment with the City may be considered for reimbursement.

The allowable expenses include direct cost for:

- any out-of-pocket expenses incurred during the recruitment and interviewing phases of recruitment;
- moving company or transportation charges;
- meals and hotel/motel expenses during the actual move;
- temporary housing; and
- demonstrated expenses.

The City Manager may determine applicability and maximum allowable amounts on a case-by-case basis.

Residency Requirement

The City of Round Rock does not require residency within the municipal limits as a condition of employment except as may be required by Charter or City Code.

SECTION 9: ORGANIZATIONAL DEVELOPMENT AND TRAINING

Policy

The City will support the continued growth in the skills and abilities of our employees to ensure the delivery of high-quality services to internal and external customers, clients, and citizens of Round Rock in the most efficient and effective manner possible. This can be achieved with a competent, motivated and committed workforce.

It is the City's policy to provide training and development opportunities; enhance individual and collective team capabilities and competencies; build and retain a skilled and effective workforce; improve organizational performance and maintain professional proficiency. Such training and development are recognized to be in the best interests of the employee and the City.

The City recognizes the importance of lifelong learning and provides assistance and resources to allow employees to develop and grow.

HRD is responsible for conducting, coordinating and sponsoring City-wide training for areas of development deemed necessary for all or a large portion of City employees. Each Department can establish training for their specific needs, with assistance from HRD, if needed.

Eligibility

All City employees are eligible to participate in training and development events and activities.

As a guideline for resourcing purposes, it is recommended that at least 5 working days per year are set aside for individual staff involvement in learning and development activities according to individual needs and requirements, to include customer service and health and safety training.

Goals

Employee training and development goals are to:

1. Offer high quality, relevant training programs;
2. Utilize City owned space and equipment for training when appropriate;
3. Seek City employee input into the design, delivery, and marketing of departmental training activities;
4. Facilitate the development of a "learning organization" City culture wherein continuous improvement, professional development and skills upgrading is accepted as a way of doing business; and.
5. Draw upon an extensive base of subject matter experts to conduct and/or facilitate training events and activities.

Responsibility

Each employee is accountable for his or her job performance and should request training in the areas that need improvement.

Each supervisor is responsible for assisting in the development of his or her employees. At a minimum, employees should be able to perform their essential job duties and consistently exhibit behavior which is aligned with the City's values statement. Supervisors should ensure their employees are well trained to perform their job duties and deliver exceptional customer service.

Each director, manager, and supervisor will discuss core competencies, individual performance goals and development plans with their respective employees as integral components of the employee performance management system.

Types of Training

Internal Training: sponsored and/or conducted by the City.

External Training: required job-related and elective, conducted by agencies or organizations other than the City.

1. Required job-related external training must be directly related to improving the employee's job performance or job skill development and must have prior approval of the Division Manager and Department Director. The City requires the employees' attendance and participation in job-related external training. An example of job-related external training would be training needed to obtain/maintain job-required certificates.

2. Elective external training may be taken by the employee to improve eligibility for career advancement and/or development but is not required by the City. Conferences, seminars, annual meetings, certification

courses and exams not necessarily offered by an academic institution are all examples of elective external training. Such training must have prior approval of the Division Manager and Department Director.

Expenses

Required Job-Related External Training Expenses: must have prior written approval of the Division Manager and Department Director; sufficient funds must be available in the department's budget to cover the employees' expenses. Expenses incurred by the employee during job-related external training; including tuition, travel, meals, and lodging, will be reimbursed at established rates, as defined in the City's travel procedures, when such training is required by the City. The employee will receive his/her regular salary while attending such training.

Elective External Training Expenses: including tuition, fees, travel, meals, and lodging may be reimbursed at established rates, as defined in the City's travel procedures, within budgetary limits provided that prior written approval of the Division Manager and Department Director has been secured. An employee may be asked to partially fund the cost associated with the elective training.

Chapter II
STANDARDS OF CONDUCT

SECTION 1: GENERAL EXPECTATIONS

Minimum Requirements

These Standards of Conduct for employees of the City of Round Rock establish *minimal requirements* which are not to be considered all inclusive. The absence of a specific rule covering any act discrediting an employee or the City does not mean that the act is permissible. Disciplinary action will be based on the assumption that the employee is familiar with the Standards of Conduct and is aware of his or her obligations. Compliance with the Standards of Conduct does not create a right to future employment. Employees of the City of Round Rock are "at-will" employees and serve at the discretion of the City Manager or his/her designee.

Employee Conduct

Employees, while on duty, are at all times individually responsible for conducting themselves in a professional and ethical manner and for treating coworkers and members of the public with respect and dignity. The intent of this policy is to make a clear statement that unprofessional and abusive behavior will not be tolerated in the workplace.

Ethical Standards

As a public service organization, City employees are held to a high standard of ethical conduct. Employees should conduct themselves in a manner that ensures those high standards are met, avoiding even the appearance of impropriety. Employees are expected to deal officially with the public in a manner that will enhance the public's confidence in the employees and the City.

False Statements

Employees may be subject to disciplinary action, up to and including termination, for intentionally making false or misleading verbal or written statements either in matters of official interest or to their management. This includes willful omissions of facts.

Insubordination

Insubordination occurs when an employee refuses a direct work-related order/assignment from a supervisor or manager that is not unethical, illegal nor unsafe.

Insignia of Authority

Enforcement badges, ID badges, business cards and other insignia of authority indicating an employee's official identification or position, status, or designation are not to be used for the following:

* to exert influence or obtain, either directly or indirectly, privileges, favors, or rewards for the employee or others; or
* to improperly enhance the employee's own prestige.

Interference with

Legal and Investigative Activities

It is the policy of the City of Round Rock that no one is to interfere with or attempt to influence an on-going activity regarding a pending investigation, audit, legal, or enforcement matter. Any employee found to have interfered with that process will be dismissed immediately.

Official/Unofficial Representative

* Employees of the City of Round Rock are to observe the following guidelines with appropriate judgment when representing the City in an official or unofficial capacity:
* the conduct of an official representative is to be appropriate for the occasion;
* any statements made formally or informally are to reflect favorably and respectfully with reference to the City of Round Rock and its staff;
* no unauthorized commitments or promises, either direct or implied, are to be made verbally or in writing on behalf of the City by any employee representing the City of Round Rock;
* statements of fact regarding City programs are not to be issued unless previously published, authenticated, and/or approved by the City Manager or designee. Materials from unpublished reports are not to be made public unless also cleared in the same manner;
* nothing is to be done publicly, by work or deed, that would discredit the City officials, employees, or programs; and
* no new information is to be made public without prior clearance from the City Manager or designee.

Lawsuits Related to Official Duties

Employees who receive a complaint or summons in a civil suit involving their duties with the City of Round Rock shall immediately report the matter to their Department Director.

An employee who is sued civilly or charged with violation of local, state, or federal laws as a result of the performance of official duties may be entitled to be represented, free of charge, by the City. The employee may hire a legal representative at his/her own expense.

Assaults & Threats Against Employees

Employees must report to their Department Directors all assaults, threats, or forcible interference against them in the course of their official duties. All assaults or threats against members or their families, when made to impede the performance of the employee's official duties, must also be reported.

Prohibitions

Employees whose conduct is in violation of standards of conduct are subject to disciplinary action.

SECTION 2: POLITICAL ACTIVITIES

Policy

Employees of the City are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies.

No person may coerce an employee to participate in, or to refrain from participating in, a political campaign. No one may require an employee to contribute to any political fund, render any political service, or support any political election. No one may punish an employee in any way for refusing to do so.

Prohibitions

An employee, in his or her official capacity, may not:

- use his or her official authority or influence to interfere with or affect the result of an election or nomination for office;
- directly or indirectly coerce, attempt to coerce, command, or advise a local or state officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency, or person for a political purpose;
- use funds provided by the State of Texas to influence the passage or defeat of any legislative measure in the Texas legislature or the outcome of any election; or
- use his or her working time or City resource to participate in any political campaign.

In addition, any City employee who is subject to the provisions of the federal Hatch Act may not be a candidate for elective office in a partisan election. (A partisan election is an election in which candidates are to be nominated or elected to represent a party whose candidates for presidential electors received votes in the last preceding election at which presidential electors were selected.) City employees are subject to this additional Hatch Act restriction if their principal employment is in connection with an activity, which is financed in whole or in part by loans or grants made by the federal government.

All City employees are prohibited from participating in any way in any political activity while wearing a City uniform, regardless of whether the employee is on duty or on his or her own time. In addition, no City employee may use City-owned property, (i.e. vehicle, building, and/or office), for displaying campaign materials or for conducting any political activity. Political activity includes displaying or sharing via email materials of a political nature that are not related to a campaign and engaging a coworker in discussions regarding their political affiliation in common areas (i.e. break room, lobby, hallway, etc.).

An employee's political activity, not in violation of this section, shall not be considered in determining his or her compensation, eligibility for promotion or demotion, work assignment, leave or travel request, or in application of other employment practices to the employee.

Candidates for Round Rock City Council

No employee of the City shall continue in such position after filing for an elective office of the City (§ 5.02 (a) (3) Round Rock Charter).

Election to Other Political Office

Any City employee wishing to file for a political office other than the Round Rock City Council must notify their Department Director and the City Manager prior to filing. No political activity, including campaigning, shall be conducted during work hours or while in a City uniform or a City vehicle. Additionally,

any employee who is being considered for an appointment to any political office shall notify the City Manager prior to the acceptance of such appointment. The City Manager may review this matter to determine if potential conflicts of interests or other concerns exist.

SECTION 3: CONFLICTS OF INTEREST

Policy

The City Council has adopted an ordinance for standards of conduct and financial disclosure for the officers and employees of the City. All employees are expected to be familiar with and abide by this ordinance. Financial statements will be submitted to the City Clerk by April 30 of each year.

Criminal Offense

State law makes it a criminal offense for an employee to engage in conduct which conflicts with the proper performance of his/her duties. A **conflict of interest** exists when an employee's private interests' conflict or raise a reasonable question of conflict (i.e., appearance) with the employee's public duties and responsibilities.

Examples

Some examples of conflicts of interest, though not all-inclusive, are:

* using or attempting to use one's City of Round Rock position for advantage in a personal matter;
* accepting any benefit, including off-duty employment wages, unless the position is unrelated to City duties; or
* accepting a gift, a service, a job, or professional activity which could appear to influence job performance or disclose confidential information.

SECTION 4: SOLICITATION AND/OR ACCEPTANCE OF GIFTS

Policy

City employees may not solicit or accept any benefit, gift, favor, funds, or service they know, or suspect is offered to influence their official conduct or the conduct of any employee of the City. Employees may not solicit or accept any benefit, gift, favor, funds, or service for having performed their official duties in favor of another.

Appearance of Impropriety

Employees may accept loans from banks or other financial institutions on customary terms. Employees may also accept items dispersed for ordinary advertising and public relations purposes, which are made available to attract employees as customers rather than in regard to their status as employees of the City. Employees may also accept unsolicited advertising or promotional materials such as pens, pencils, note pads, calendars, and other items of nominal value. Because no list would be complete, employees must use their judgment, but should refuse gifts that a reasonable person may believe could have the appearance of impropriety.

SECTION 5: CONFIDENTIAL/OFFICIAL INFORMATION

Subject Information

Information concerning any employee or vendor which may come to an employee's knowledge is to be held in strict confidence. No information disclosed in a court case, investigation, audit report, personnel or vendor files may be disclosed except as provided in the Texas Public Information Act. The Texas Public Information Act prohibits the distribution of information deemed confidential under its terms. This office has interpreted this provision to prohibit the disclosure of information made confidential by the constitution, a statute, or a judicial decision. Violations are punishable by law. Any questions regarding disclosure of any information, confidential or otherwise, should be directed to the City Clerk, who is the designated open records coordinator.

Misuse of Official Information

Employees commit an illegal act if they use official information, which has not been made public, to benefit or aid themselves or another.

SECTION 6: NOTIFICATION OF ARREST

Notification Requirement

An employee who is arrested and/or charged with a crime involving alleged dishonesty, theft, DUI/DWI/BWI, embezzlement, violence (including domestic violence) or other serious violations, must notify his/her Department Director or designee in writing within 24 hours of the arrest or at the earliest possible opportunity. The employee must report what he/she was charged with. The Department Director must notify the Director of Human Resources on the next business day regarding the arrest.

Failure of an employee to comply with this policy is misconduct and could result in termination from the City.

Management Discretion

An employee who is arrested and/or charged with a crime involving dishonesty, theft, embezzlement, violence (including domestic violence), etc., or a crime directly related to the employee's ability to perform his or her job duties, may result in disciplinary action, including termination. If an employee is found guilty of a crime, disciplinary action up to and including termination, may result.

SECTION 7: WEAPONS

Policy

Employees may not possess or use a weapon while on duty unless the weapon is required by the employee's job.

This policy does not apply to firearms or ammunition lawfully owned and possessed by an employee that is stored in a locked, privately owned motor vehicle while the vehicle is in a City parking facility. An employee who stores a firearm or ammunition in their vehicle must conceal the firearm or ammunition and keep the vehicle locked at all times.

The City has no duty to patrol or otherwise inspect parking facilities for compliance with the weapon policy. The City also has no duty to investigate vehicles to determine if employees are complying with laws relating to the ownership or possession of firearms or ammunition.

Definition

As used in this policy a "weapon" is anything designed, adapted, or used to threaten or cause harm to people, animals or property.

The following are not considered "weapons" for the purposes of this policy but could become weapons if used to threaten or harm a person, animal, or property:

- Pocketknives with folding blades less than 5.5 inches in length;
- Fixed blade knives used in food preparation or food service, or used as a regular tool in the performance of the employee's duties; or
- Pepper spray in a dispenser commercially available to the general public and intended for personal protection.

Employees who violate this policy may be subject to discipline in accordance with the City's disciplinary policy up to and including immediate termination.

SECTION 8: WORKPLACE VIOLENCE

Policy

The City of Round Rock has zero tolerance with respect to workplace violence or the threat of violence. The City does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. Employees who violate this policy shall receive disciplinary action, up to and including termination.

The City provides a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees must review and understand all provisions of this workplace violence policy.

Guidelines

Employees who are victims of threats or any other intimidating or violent behavior should immediately report the conduct to the supervisor, other appropriate authority and to HRD.

Prohibited Conduct

This list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

- causing physical injury to another person;
- making threatening remarks;
- aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- intentionally damaging City property or property of another employee;
- possession of a weapon while on City property or while on City business except for authorized police personnel; or
- committing acts motivated by, or related to, sexual harassment or domestic violence.

Reporting Procedures

Any potentially dangerous situations must be reported immediately to a supervisor or HRD. Reports can be made anonymously, and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. The City will actively intervene at any indication of a possibly hostile or violent situation.

Dangerous/Emergency Situations

Employees who encounter an armed or dangerous situation should not attempt to challenge or disarm the individual. If a supervisor or the Police Department can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, cooperate and follow the instructions given.

Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts or threats on the City's premises or while attending to City related business will be reported to the proper authorities.

SECTION 9: ALCOHOL AND DRUG TESTING

Policy

The City of Round Rock is committed to maintaining a safe, healthy, and productive workplace and prohibits the unlawful or unauthorized use, possession, distribution, or impairment from alcohol or drugs in the workplace, except as otherwise permitted by law or City policy. An employee shall not use, possess, sell, or provide alcohol or controlled substances to any other employee or to any person while such an employee is on duty, four (4) hours before reporting for duty or on-call unless the employee is required as a part of his or her job to legally possess alcohol or controlled substances.

An employee shall not report for duty, or remain on duty, when using or testing positive for any controlled substance (except under instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to perform his or her job safely).

Employees violating this policy will be subject to disciplinary action, up to and including termination.

Guidelines

A supervisor having reasonable suspicion that an employee is using, possessing, selling, or providing alcohol or controlled substances to any other employee or to any person while such an employee is on duty or on call shall not permit the employee to perform or continue to perform any duties.

A supervisor having actual knowledge that an employee is under the influence, or a reasonable suspicion that an employee is under the influence of alcohol or

drugs, shall not permit the employee to perform or continue to perform any duties.

A supervisor having a reasonable suspicion that an employee has used alcohol or drugs within four (4) hours prior to coming on duty shall not permit the employee to perform or continue to perform any duties. The supervisor should notify HRD for authorization to initiate testing for alcohol and controlled substances. The supervisor should transport the employee to the testing facility.

Testing

Pre-employment- Applicants who receive a conditional offer of employment are required to take a pre-employment-controlled substances screening test within 48 hours of receiving a job offer. In some circumstances, an extension may be granted not to exceed five (5) business days.

Post-Accident- Any employee involved in vehicle accidents while driving a City vehicle or driving a private vehicle while on City business may be subject to post accident testing if the criteria for testing are met as outlined in the Alcohol and Drug Testing procedure. Employees must report to their supervisor any accidents that occur while operating City-owned vehicles or equipment.

Random- Employees who are required by their job description to hold a Commercial Driver's License (CDL), and personnel who perform safety-sensitive functions are subject to random testing for alcohol and controlled substances. The following positions are classified as safety-sensitive for the purpose of this policy:

- Police officers
- Fire Fighters
- Crime Scene Analysts
- Law Enforcement Support Technicians
- Emergency Communications Operators
- Public Works Operations Personnel

Reasonable Suspicion- Employees are subject to reasonable suspicion testing for controlled substances and alcohol abuse. This will be based on objective facts and/or observable on duty behavior sufficient to lead a trained, reasonably prudent supervisor to suspect that an employee is under the influence of controlled substances and/or alcohol so that an employee's ability to perform the functions of the job is impaired or so that the ability to perform the job safely is reduced.

Follow-Up- Supervisors will be notified of test results. If an employee tests positive for alcohol or a controlled substance, he or she will be contacted by the Medical Review Officer (MRO). HRD will take the appropriate action based on the information provided by the MRO and the employee.

Self-Declaration

An employee may voluntarily notify the supervisor or HR representative that they need assistance with alcohol or drug use. Such a declaration may not be made after being notified of the need to take a scheduled alcohol or drug test.

Refusal to Test

An employee's refusal to complete a requested alcohol or drug screen will be grounds for immediate termination.

SECTION 10: OUTSIDE EMPLOYMENT

Policy

Employees may not engage in any outside employment, including self-employment, where such activity would (1) be inconsistent or incompatible with employment with the City; or (2) affect the employee's job performance adversely.

Guidelines

Requests for outside employment will be submitted to the employee's supervisor prior to beginning any long-term (over 90 days) outside employment. Approved outside employment will be forwarded to HRD for placement in the employee personnel file.

Supervisors are responsible for monitoring their employee's performance and determining any significant impairment that may be due to outside employment. The supervisor must report any concerns to the Department Director.

Should a supervisor determine that an employee's outside employment interferes with the effective performance of assigned City duties, the supervisor is authorized to take whatever action is deemed appropriate to eliminate the impairment, which may include requiring the employee to terminate the outside employment or resign from the City's employment.

On-the-Job Injury

If a City employee is injured in the course of outside employment, the employee may not file a Workers' Compensation claim against the City for benefits related to the injury, regardless of the fact the outside employment has been approved by his/her supervisor.

The filing of a Workers' Compensation claim in this situation will be considered falsification of documents and is grounds for disciplinary action, up to and including termination.

Additionally, any City employee who files a Workers' Compensation claim for an on-the-job injury while performing City duties must disclose if they have outside employment to HRD. Reporting this information will ensure that any restrictions are followed while performing outside work activities.

Chapter III
EMPLOYMENT PRACTICES

SECTION 1: EQUAL EMPLOYMENT OPPORTUNITY (EEO)

EEO Policy Statement

The City is an equal opportunity employer. The City does not allow discrimination against any person in job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, or any other aspect of employment on the basis of race, color, religion, national origin, sex, sexual orientation, disability, age, equal pay, genetic information, or any other manner that violates the law.

The City prohibits retaliation or discrimination against any employee for opposing an unlawful or discriminatory employment practice, or for alleging or participating in an investigation of an allegation of discrimination.

Hair Discrimination

The City prohibits discrimination based on an employee or applicant's hair texture or protective hairstyle (i.e. braids, locks and/or twists) commonly or historically associated with race. The City will not adopt or enforce a dress or grooming policy that discriminates against a hair texture or protective hairstyle commonly or historically associated with race. (Legal reference; H.B. 567)

Discrimination and Harassment

All employees, applicants, vendors, volunteers, and unpaid interns are eligible to file a discrimination and/or harassment complaint. The City takes all complaints seriously. Acts of discrimination and harassment by any employee are prohibited. Employees and supervisors should make every effort to resolve problems or issues informally through discussion and consultation. If these efforts do not resolve the problems or issues, the employee may initiate proceedings as specified in this policy in order to resolve those matters.

All supervisors should be familiar with the complaint policy and have primary responsibility for resolving disputes. Employees are encouraged to seek resolution of a complaint through the chain of command.

All supervisors are responsible for promptly addressing complaints of discrimination or harassment filed by or against their employees. Supervisors must ensure immediate and appropriate action is taken if any allegation is made or a situation involving discrimination or harassment is brought to their attention.

Supervisors have an affirmative duty to respond as soon as he or she knows that discriminatory conduct may be occurring, regardless of whether or not a formal complaint has been filed.

Supervisors must notify HRD immediately upon becoming aware of a situation in which discrimination or harassment may have occurred.

Supervisors in consultation with the Department Director and HRD shall take immediate action while the investigation proceeds. Examples of such action may range from temporarily reassigning the employees involved pending the investigation, to immediately placing one or more of the parties involved on administrative leave, if needed.

Retaliation against an employee for attempting to resolve a dispute, filing a complaint or for participating in any way in an investigation of a complaint will not be tolerated. Employees shall report such reprisal and/or retaliation to the Department Director and/or Human Resources Department. Supervisors will take appropriate corrective action in consultation with the Department Director and HRD to address any violations of law or policy that are discovered in the course of an investigation.

Confidentiality shall be maintained by all parties involved in a complaint and in the investigation of a complaint.

SECTION 2: AMERICANS WITH DISABILITIES ACT (ADA)

Policy

The City of Round Rock does not discriminate on the basis of disability in employment or in the provision of services, programs, or activities, in accordance with the "Act".

The "Act" is a Federal Statute designed to remove barriers preventing qualified, disabled individuals from enjoying the same employment opportunities available to individuals without disabilities. The "Act" prohibits discrimination in all employment practices, including job application procedures, hiring, termination, advancement, compensation, training, and other terms, conditions, and privileges of employment. Also, it applies to recruitment, advertising, tenure, layoff, fringe benefits, and all other employment-related activities.

Definitions

Disability- the Americans with Disabilities Act Amendments Act (ADAAA) defines a disability as:

- a physical or mental impairment that substantially limits a major life activity; or
- a record of a physical or mental impairment that substantially limited a major life activity; or
- when an employer takes an action prohibited by the ADA based on an actual or perceived impairment.

Major Life Activity (MLA):

MLAs include "major bodily functions," such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, circulatory, respiratory, endocrine, hemic, lymphatic, musculoskeletal, special sense organs and skin, genitourinary, and cardiovascular systems, and reproductive functions.

MLAs also include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Impairment- a physiological disorder affecting one or more of a number of body systems or a mental or psychological disorder.

Reasonable Accommodations- the modification or an adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to perform essential job functions, or to have equal opportunity in the employment process.

Undue Hardship- extensive difficulty or expense in relation to the size of the entity, the resources available, and the nature of activities or program. Accommodations that impose undue hardship would be unduly costly, extensive, substantial, disruptive, or would fundamentally alter the nature or operation of the business or program.

The "Act" permits employers to establish qualification standards that will exclude individuals who pose a direct threat to the health and safety of the individual or of others if that risk cannot be lowered to an acceptable level by reasonable accommodations.

ADA Coordinator

The Risk Manager serves as the City's designated ADA Coordinator. The responsibilities for this role include:

- Providing assistance on clarification and guidance to City departments;
- Providing clarification and guidance on the City's implementation of the act;
- Overseeing the handling of employee requests for reasonable accommodations at a department level;
- Communicating with the involved and affected employee;
- Tracking and monitoring all ADA-related activities in the City;
- Communicating with the Human Resources Director and affected Department Directors on related issues; and
- Maintaining and ensuring confidentiality of information and related documentation.

Request for Accommodation

An employee or his/her representative requesting reasonable accommodation must initiate the request to his or her supervisor or to the Risk Manager. The request need not be in writing, but written confirmation of the request will be sent to the employee.

Immediate supervisors must report the situation, with adequate and relevant background documentation, to the ADA Coordinator for review and further assistance.

The ADA Coordinator engages in the interactive process with the requesting employee to clarify his/her needs and identifies possible reasonable accommodations.

Request Review

A request for reasonable accommodation is evaluated on a case- by-case basis. The ADA coordinator and the supervisor must consider the circumstances of the employee's situation. However, all reasonable accommodations must:

- Be job related;
- Be effective enough to overcome the individual's physical or mental limitation;
- Enable the individual to perform the essential functions of the job; and
- Not impose any undue hardship on the City's operations and services.

Job Function Analysis is the key mechanism for defining the mental, physical, and environmental demands of the position.

The ADA Coordinator and appropriate staff evaluate the situation and provide the affected department with a plan for guidance, further evaluation, and final determination.

The affected employee will be notified verbally and in writing when a determination has been made regarding the request for reasonable accommodation.

If the requesting employee qualifies, the immediate supervisor coordinates with the ADA Coordinator and the employee to implement the accommodation as soon as possible. Reasonable accommodation may require additional resources, and/or equipment.

Appeal Process

If the employee is not satisfied with the determination, the employee may appeal to the Human Resources Director.

Prohibited Actions

The "Act" prohibits discrimination based on the knowledge of an employee or applicant's relationship or association with an individual with a disability. This known relationship or association may be a family member or any social or business relationship or association.

It is a violation of this policy, and state/or federal law for any employee, supervisor, or manager of the City to:

- Discriminate on the basis of disability against an employee who is a qualified individual with a disability under the "Act" in regard to:
    - job assignments, job classifications, organizational structures, position descriptions, lines of progression and seniority lists;
    - leaves of absences, sick leave, or any other leave;
    - upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;

- rates of pay or any other form of compensation, changes in compensation, and fringe benefits available;
- selection and financial support for training; or
- social and recreational activities.

- Limit, segregate, or classify a job applicant or employee in a way that adversely affects his or her employment opportunities or status on the basis of disability.

- Require a medical examination of an employee who is disabled as defined under the "Act" unless the medical examination is job-related and consistent with business necessity.

- Make inquiries as to whether an employee is an individual with a disability or as to the nature or severity of such disability unless such inquiry is job-related and consistent with business necessity.

Confidentiality

HRD ensures that all related ADA documentation and information remains confidential and separate from the individual personnel file. This includes any medical statements from treating physicians, leave requests, or any other information that pertains to the medical condition or history of an employee.

SECTION 3: SEXUAL HARASSMENT POLICY

Policy

The City of Round Rock is committed to providing a work environment free from harassment, offensive behavior or intimidation on the basis of a person's sex. This policy affirms the City of Round Rock's position against sexual harassment and ensures that all employees, applicants, vendors, volunteers and unpaid interns are provided a work environment free of sexual harassment, as well as to provide a procedure for reporting allegations of sexual harassment.

The City of Round Rock will ensure swift and appropriate action is taken in response to any allegation of sexual harassment. Acts of sexual harassment by any employee are prohibited. Sexual harassment on the part of an employee will result in disciplinary action up to and including termination.

Definition

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and any other unwelcome verbal or physical conduct of a sexual nature, which is offensive or objectionable to the recipient and/or an observer. This includes, but is not limited to, any derogatory or suggestive verbal comments or physical conduct. Sexual harassment has occurred when:

- submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting an individual; and/or
- such conduct interferes with a person's work performance or creates an

intimidating, hostile or offensive work environment.

A hostile work environment may also be created by non-sexual behavior directed at an individual because of their gender (e.g., using derogatory terms to refer to men or women), or sexual conversation or activity not directed at a particular individual, but which adversely affects working conditions (e.g., telling offensive jokes in the presence of others or which can be overheard by others).

Sexual harassment also includes sexually suggestive or obscene materials, such as visual materials, music, computer software or literature, which may create an offensive or hostile work environment.

Isolated incidents of sexually oriented misconduct, which is unwelcome and offensive, as well as continual or repeated incidents of such behavior, may also constitute sexual harassment.

Sexual harassment toward another person of the same sex is also strictly prohibited by this policy.

Reporting Allegations

An employee should report allegations of sexual harassment to his/her immediate supervisor or the Human Resources Director, except as indicated below:

- An employee should not attempt to informally resolve disputes with any supervisor if the dispute relates to allegations of sexual harassment on the part of that supervisor. In those instances, the employee may address the issues with a supervisor in his/her chain of command or contact HRD.
- Supervisors are required to report complaints to the Human Resources Director as soon as possible after the act or event prompting the complaint has occurred. The complaint may be made in writing or orally. If the complaint is made orally, it will be reduced to writing by the Human Resources Director or designee and reviewed and approved by the complainant prior to the investigation.

Employee Protection

Retaliation against an employee for attempting to resist sexual harassment, filing a complaint, attempting to stop sexual harassment against another employee or for participating in any way in an investigation of a sexual harassment complaint will not be tolerated. Employees should report such reprisal and/or retaliation to the Human Resources Director. Management will take appropriate corrective action for any violations of law or policy that are discovered in the course of an investigation.

Confidentiality

All complaints of sexual harassment are addressed in a confidential manner. Each allegation is documented and retained in a confidential file within HRD. Confidentiality shall be maintained by all parties involved in a sexual harassment complaint, or in the investigation of a sexual harassment complaint. However, confidential information may be subject to disclosure in the following instances:

- in the event of legal proceedings or as otherwise required by law;
- information regarding an investigation of a sexual harassment incident may be released to persons within the City on a "need to know" basis (e.g., the parties' supervisors); and/or
- identity of the complainant and any witnesses in a sexual harassment investigation shall remain confidential unless and until disclosure of identities becomes necessary. Such disclosure may become necessary if the complainant or witnesses testify against a respondent to a sexual harassment complaint claim that has requested a hearing pursuant to the City's appeal procedures.

Retaliation

Any employee who retaliates, in any form, against an employee for making a complaint of sexual harassment, will be in violation of the City's sexual harassment policy, and is subject to disciplinary action, up to and including termination. However, disciplinary action against employees who have violated City policy or who are not performing up to acceptable standards will not be stayed merely by the filing of a complaint.

SECTION 4: WHISTLEBLOWER POLICY

Policy

The City will not suspend, terminate, or otherwise discriminate against an employee who reports a violation of law to an appropriate law enforcement authority if the employee report is made in good faith.

Employee Rights

No employee will be harassed, suspended, terminated or otherwise discriminated against for exercising their rights.

Employee rights include:

- right and/or duty to report violations of law;
- right to report unsafe act or condition;
- right to file a Workers' Compensation Claim;
- right to file a grievance; and
- right to file a complaint of alleged discrimination.

Supervisor Responsibility

Supervisors are responsible for reporting any violation of this policy to the Department Director, Human Resources Director and/or City Manager.

SECTION 5: INTERNAL INVESTIGATIONS

Internal Investigations

To safeguard impartial and equitable treatment of our employees, as well as ensuring proper and productive conduct by all personnel; it is imperative that managers' report ALL potential investigative issues to HRD for review and possible investigative action. The responsibility for conducting internal investigations within the City of Round Rock resides within HRD. Depending

on the nature of the investigation, HRD may use the Police Department Internal Affairs Unit or other outside investigator(s).

Management Prerogatives

It is the intent of this policy to not usurp management discretion, but rather to ensure that employee misconduct is resolved in a consistent manner within the City of Round Rock. Therefore, no investigation, inquiry, administrative review, probe, or study on *any matter outside the scope of an employee's performance plan shall be undertaken without prior notification to HRD.*

The Police Department Internal Affairs Unit will investigate complaints regarding police officers. Investigations of other police personnel will be handled by HRD in consultation with the Police Department Internal Affairs Unit, as necessary.

Issues involving allegations of discrimination or sexual harassment should be referred to the Director of HRD *prior to the initiation of any inquiry*. (see Sexual Harassment Policy, Chapter III). The following matters are subjects for investigations and although not inclusive, provide a basis for referral to the Round Rock Police Department or appropriate law enforcement entity depending upon location of event:

- Theft or misuse of City property or equipment, e.g., computers, telephones, credit cards, stationary, facsimile and mail machines, automobiles, leased or system database files, and case specific information; and

- Conduct or acts that can result in arrest or bring discredit to the City of Round Rock, e.g., false arrest or imprisonment, false or misleading statements in matters of official interest, conducting or using City equipment for political, personal or proprietary activities, possession of illegal drugs or any firearm while on City of Round Rock property and conducting illegal activities on City of Round Rock property.

It is imperative that departments exercise caution by contacting HRD in any situation in which an internal inquiry, probe or investigation is warranted. This process will assist in maintaining a consistent and fair approach while preserving statements and evidence needed for potential civil and/or criminal proceedings.

Violations of this policy may result in disciplinary action, up to and including termination from the City.

Workplace Searches and Privacy

Consistent with the safety of our employees, the City of Round Rock reserves the right to conduct searches of City property. Employees should be aware that desks, drawers, computers, lockers, voice mail, e-mail, filing cabinets, shelves, or any other City property is subject to search at any time. Employees must cooperate during a search.

SECTION 6: HIRING PROCEDURE

Policy

When a vacancy occurs, the appropriate supervisor and HRD will work together to develop a job posting and to identify appropriate recruitment methods.

Recruitment and Selection

The City has four methods of recruiting and selecting persons to fill vacancies:

1. Promotion from within;
2. Lateral transfer from within;
3. Job vacancy announcement and competitive consideration of applications for employment; and
4. Selection from a valid eligibility list (Fire and Police Departments only).

The Department Director determines the method(s) of selection to be used in filling each vacancy.

The City only accepts applications for posted positions. Job vacancies will be posted on the City website, social media outlets and other related web sites. Only applicants selected for an interview will be notified when a decision has been made.

Minimum Qualifications

The City maintains a job description, which establishes the required knowledge, skills, and abilities for each position and the acceptable levels of experience and training for each. The job description sets forth the minimum qualifications required to fill the position.

To be considered for a position, an applicant must submit a completed City of Round Rock application or resume; consistent with stated requirements on job vacancy notice:

- An applicant must submit an online application for a specific job on the City's current job posting lists. Applications will not be accepted for any positions not posted.
- Applicants must submit a separate application and attachments (certificates, etc.) for each position for which they are applying.
- All materials submitted for consideration will be considered the property of the City of Round Rock and will not be returned. Except as otherwise protected by law or regulation, the information contained in the application is not confidential and may be used by the City of Round Rock.

Evaluation of Applicants

Reference checks, interviews, medical examinations, background checks, job related testing, and/or other screening procedures may be used as appropriate.

Applicants shall be required to provide any information and undergo any examination necessary to demonstrate competency and ability to perform the requirements of the position.

Testing

Except for drug, physical ability and psychological tests for certified police and fire employees and any other tests that may be required by state law, the only performance tests administered for employment or promotion are specifically job related ("piece-of-the-job") tests (e.g., typing, operating a computer, operating a piece of equipment, lifting a heavy item which is regularly required to be lifted in the job, tabulating columns of numbers, providing writing samples, etc.). The City conducts pre-employment qualification testing for certain jobs. The tests vary based on the required qualifications for the particular job. Reasonable accommodation will be made for applicants with a disability if a request for such an accommodation is made in advance of a test.

Offers of employment will be conditioned upon the applicant's successfully passing a drug test and a criminal background check. All required psychological, drug, and physical tests are paid for by the City. Any subsequent services needed as a result of the tests, however, is the full responsibility of the applicant or employee.

Disqualification

An applicant is disqualified from consideration if he or she:

- does not meet the minimum qualification necessary for performance of the duties of the position involved;
- has knowingly made a false statement on the application and/or any materials submitted for consideration for employment;
- has committed or attempted to commit a fraudulent act during the selection process;
- is not legally permitted to hold the position;
- has failed to submit the application correctly or within the prescribed time limit;
- is not the most closely matched candidate in the pre-determined criteria; or
- violated the Department of Transportation (DOT) alcohol and drug testing policy in the past three (3) years.

Selection

In accordance with the City Charter, the City Council appoints and may remove the City Manager, City Attorney, and Municipal Court Judge.

Except for appointments reserved to the City Council by statute, ordinance, or charter, the City Manager has exclusive authority to select and employ all City employees. The City Manager may authorize supervisors to appoint and remove employees within their departments, subject to the limits of these policies and the City budget. Other supervisors may be asked for recommendations as appropriate.

Neither the City Council nor any of its members shall in any manner dictate the appointment or removal of any City employee whom the City Manager or any of his or her subordinates is authorized to appoint.

Employment of Minors

Regular, full-time, employees of the City must be 18 years of age or older. On occasion, the City may hire individuals who are 16 or 17 years old, but this is done only under special conditions and must be approved by HRD.

Minors who are 15 years of age may be hired by the City for temporary seasonal employment.

Required Permission
Minors must have parental permission before they can begin work with the City. The permit shall be filed in HRD.

Number of Hours Worked

- Minors who are high school graduates or have a certificate of high school proficiency may work the same hours as adults.

- When school is in session, minors who attend school may work no more than 18 hours per week, unless they have received written permission from school authorities to work up to eight hours in addition to school time on any day immediately prior to a non-school day.

- Minors under the age of 17 who have not graduated or achieved a certificate of proficiency may work no more than eight hours per day and no more than 40 hours per week when school is not in session.

Hours of Work
Workers the age of 15 may work between 7a.m. and 7 p.m. during the school year. Between June 1 and Labor Day, they may work between the hours of 7 a.m. and 9 p.m.

Types of Work
Minors under the age of 18 may not drive a motor vehicle. Minors may not perform any job declared hazardous.

Wages
Regardless of age, minors must be paid at least minimum wage. If working the same hours as an adult, high school graduates or minors with a certificate of proficiency must be paid rates which are in line with those of adults in similar positions.

Probationary Period

Employees will serve a six (6) month probationary period upon hire and Firefighters will serve a one (1) year probationary period. Police Officers will serve a one (1) year probationary period after successful completion of the PD training program. The probationary period is a time to determine whether the job is what was expected and for the department to determine if it is a good fit. Failure to successfully complete the probationary period may result in termination.

SECTION 7: TRANSFERS

Policy

A transfer is the reassignment of an employee from one position to another. A transfer not involving promotion or demotion may be effective at any time for

administrative convenience. Transfers may be made administratively or in conjunction with an announced selection process.

Eligibility

Employees who have completed their initial probationary period will be eligible for transfer.

Between Departments

An employee wishing to transfer from one department to another must apply for existing vacancies unless the transfer is approved by Executive Management. While departments are encouraged to give special consideration to current employees that desire to transfer, they are under no obligation to do so. Employees wishing to transfer between departments for a position at the same pay grade will do so with no increase in salary. Transfers will be effective at the beginning of a pay period unless an exception is approved by HRD.

Notice Between Departments

Employees who apply for, and are offered jobs in other departments, will be required to remain in their current department for a two (2) week period in order to give their current department ample time to post for the vacancy. This requirement may be waived at the discretion of the current Director or designee.

SECTION 8: SEPARATION PROCEDURES

Separation Defined

Employment with the City of Round Rock may be ended by:

- termination;
- reduction in force;
- resignation;
- retirement; or
- death.

Resignation Policy

While the City would appreciate having at least two weeks' notice of an employee's intent to leave, since all employees serve "at-will," an employee may leave at any time, with or without notice. However, a signed resignation letter should be submitted to the Director and a copy of the letter must be attached to the separation PA. Department Directors or designee should provide an Acceptance of Resignation letter to the employee confirming the resignation has been accepted and steps to out process. An employee giving less than a two (2) week notice will not receive their accrued vacation leave payout. Payout may occur in this instance, if mutually agreed upon between the employee and department management, that two (2) weeks' notice is waived.

Retirement Policy

To retire with the City, an employee must be eligible to retire with the Texas Municipal Retirement System (TMRS) but is not required to apply for service retirement with TMRS. Employees retiring from the City shall communicate in writing their intention to their Director at least thirty (30) days before the intended retirement date (not including leave time to be taken). Retirees are eligible to work in temporary positions only for short durations. Retirees must

have a twelve (12) month break in service prior to returning to work in a regularly budgeted position.

Retirement Information

Employees planning on retiring should contact HR no later than thirty (30) days before their retirement date to discuss the retirement process. HR must certify the retirement application prior to submitting it to TMRS.

Exit Interview Questionnaire

When an employee separates from the City, an exit interview must be scheduled with HRD. The exit interview must be completed on or before the employee's last day of employment. The Department Director or designee should ensure that the exit interview is scheduled and that all outstanding timesheets are completed before the employee leaves.

COBRA Privileges

An employee who has group insurance coverage at the time of separation has conversion privileges for health and life insurance. The employee can assume full payment of the premiums and continue the coverage for up to 18 months. The conversion privileges also apply to dependents that are covered at the time of the employee's separation.

Retirement Refund

A separating employee may request a refund of retirement contributions from TMRS. HR must certify the refund application prior to submitting it to TMRS.

Separation PA

Personnel Action (PA) for employees separating from the City must be generated as soon as it is known that an employee is leaving the City. Failure to do so may jeopardize the timeliness of the employee's final paycheck/direct deposit. A help desk ticket must be created to cancel all City accounts, i.e. computer and email access. Based on business necessity, a Director may request the exiting employee's emails be forwarded to their supervisor for a period not to exceed 60 days.

Rehire Eligibility

Employees who are rehired within thirty (30) days of termination date will not have a break in service and leave accruals will be restored at the level previously held.

SECTION 9: NEPOTISM

Policy

Nepotism is the showing of favoritism toward a relative. The City forbids the practice of nepotism in hiring personnel or awarding contracts. This policy does not apply to seasonal or temporary employees as their assignments are short in duration.

Relatives of Officials

No person related within the second degree by affinity or within the third degree by consanguinity, as outlined in the Relationship Charts, to the Mayor or any member of the City Council or City Manager should be employed or appointed to any office, position or clerkship of the City.

This prohibition shall not apply, however, to any person who shall have been employed by the City at least two (2) years prior to and at the time of the election or appointment of the officer related in the prohibited degree.

Relatives of City Employees

No employee may directly or indirectly supervise or be supervised by a spouse or a member of his/her family who is related as defined in the Relationship Charts below.

No employee may hold a job where the employee exercises supervisory authority over the work, assignments, working conditions, and/or compensation/benefits of any individual who is related as defined in the Relationship Charts below.

In no instance may an individual be promoted to a position wherein that person would directly or indirectly supervise or be supervised by a relative as defined in the Relationship Charts below.

The City will employ married partners and relatives only in accordance with this policy.

Chapter 573 of the Government Code

Whenever it is determined that Chapter 573 of the Government Code applies to a supervisor (other than the City Manager) of an employee, the City Manager shall be considered to have sole and exclusive authority regarding the appointment, reappointment, confirmation of the appointment or reappointment, employment, reemployment, change in status, compensation, or termination of the employee.

Relationship Charts	
Relationship to: Employee/Officer/Firefighter **Consanguinity Kinship** ⬇ **Blood**	**1st Degree:** Father, Mother, Daughter, Son **2nd Degree:** Brother, Sister, Grandfather, Grandmother, Granddaughter, Grandson **3rd Degree:** Uncle, Aunt, Niece, Nephew, Great Grandfather, Great Grandmother, Great Granddaughter, Great Grandson
Relationship to: Employee/Officer/Firefighter or Spouse of Employee/Officer/Firefighter **Affinity Kinship** ⬇ **Marriage**	**1st Degree:** Father-in-law, Mother-in law, Daughter-in-law, Son-in-law, Stepmother, Stepfather **2nd Degree:** Brother-in-law, Sister-in-law, Grandfather-in-law, Grandmother-in-law, Granddaughter-in-law, Grandson-in-law, Stepbrother, Stepsister

SECTION 10: PERFORMANCE MANAGEMENT

Policy

The City of Round Rock will provide a uniform and equitable process of communicating to employees the performance expectations, their actual achievements, and recommendations for improving performance. Performance Management Processes are critical because employees need to know areas in which they are having success as well as areas where they should improve to meet performance standards and/or career enhancement goals.

It is the duty of each employee to maintain high standards of productivity, cooperation, efficiency, and economy in his/her work for the City. Supervisors shall organize and direct the work of their departments/divisions to achieve these objectives. Employees are obligated to follow directions given by their supervisors to achieve departmental/divisional goals and objectives.

If work habits, behavior, production or personal conduct of an employee falls below appropriate standards, supervisors should point out the deficiencies at the time they are observed. Counseling and warning the employee in sufficient time for improvement shall customarily precede formal actions as stated in other policies.

Regular status employees' performance will be evaluated once a year, in September. The review conducted at the end of the appraisal period will serve as the basis for pay for performance when affordable. In order to be eligible for pay for performance, an employee must be hired by April 1 of the current fiscal year.

Types of Performance Reviews

New Employee Review

New employees should meet with their supervisor to develop a performance plan within the first thirty (30) days of initial employment. Supervisors must inform new employees during a performance plan conference that a progress conference will be conducted after three (3) months.

Six (6) months following their employment, new employees will receive a performance review. If the overall performance appraisal rating is documented as Meets Expectations, the supervisor should recommend the employee for continued employment.

If the overall performance appraisal rating is documented as Needs Improvement, the supervisor may recommend termination. The supervisor discusses the appraisal with the employee and follows the signature process. Upon completion of the signature process, the appraisal must be received in HRD by the end of the sixth month of employment.

Regular Performance Review

Performance reviews will be conducted once a year at fiscal year-end. The performance reviews will serve as the basis for pay for performance salary

increases, when affordable. The review should be conducted in September and submitted to HRD no later than September 30th.

Performance ratings are not subject to appeal as indicated in the employee grievance procedure outlined in this policy manual.

Other Reviews

A performance review should also be conducted for the following reasons: transferring employee, transferring supervisor or a change in duty assignment.

Performance Improvement Plan (PIP)

A PIP may be initiated after an employee's performance has been evaluated and deemed to be unsuccessful. If an employee receives an overall Performance Appraisal Rating of Needs Improvement on the annual appraisal, a PIP must be implemented or if the employee is not meeting the performance standards for a particular task at any time during the appraisal period, the supervisor has the option of placing the employee on a PIP. Supervisors must apply the same practice to all similarly situated employees.

The plan identifies deficiencies, provides a methodology for improvement, and establishes a timetable in which performance must be improved. Usually, the maximum period for a PIP is ninety (90) calendar days.

The original plan remains with the supervisor until the completion of the PIP period and a copy is given to the employee. The original plan must be attached to the appraisal document that is submitted to HRD.

SECTION 11: HUMAN RESOURCES ADMINISTRATION

Master Personnel File

The Human Resources Division (HRD) is the repository for the City of Round Rock master personnel files. The **original** of all documents will be forwarded to HRD for inclusion in the master personnel files.

Most of the required personnel information for inclusion in the master personnel file will be collected prior to, or on, the employee's first day of employment. Department Directors are responsible for forwarding any additional documentation and/or information as it occurs, or as required.

Human Resources Director Responsibility

The Human Resources Director is the custodian of, and responsible for, all documentation and information included in the master personnel files. The Human Resources Director is also the final authority in determining what documentation and/or information is irrelevant or inappropriate to be included in the master personnel files and will ensure that HR records will be maintained in accordance with the City's adopted record retention plan.

Security Measures

The following security measures are enforced to safeguard master personnel files in HRD:

- master personnel files will be stored either in lock-type file cabinets, or in a room that is to be locked when not in use;
- no personnel files are to be removed from HRD;
- if access to view personnel files is necessary during litigation or investigation of complaints, HRD will make arrangements for access;
- copies of information needed from a personnel file shall be made by a HRD employee;
- all documents to be included in personnel files will be date-stamped by an employee from HRD. Any employee desiring to have information placed in his/her personnel file must submit the documents to his/her Department Director or designee. The Department Director or designee will forward the documents to the Human Resources Director requesting inclusion;
- individual employees may review their file in HRD with the presentation of proper photo identification (Note: Files may not be removed from HRD). A HRD employee will be present at all times to ensure safeguarding of the records. If an employee desires a copy of the information maintained in the file a HRD employee will make the copy. Employees are not allowed to remove or place any documents in their own file; and
- the employee or a designated representative will be allowed access to all information contained in the employee's personnel file. The employee's designated representative, however, must have written approval from the employee and present proper photo identification.

Department Files

Department Directors may maintain a desk file for each employee in their department. They must ensure, however, that control measures are established to safeguard the files.

Disciplinary Action

The unauthorized removal or placement of materials in a personnel file is grounds for disciplinary action, up to and including termination.

Master Personnel File

The master personnel file should contain the following:

- completed employment application;
- an Applicant Acknowledgment Form;
- all Personnel Action Forms and any personnel history data;
- Employment Acknowledgment Form;
- W - 4 form(s);
- Personal Data Form;
- Security Statement;
- Employee Information Form;
- Performance Appraisals;
- Any written documentation pertaining to disciplinary action which the employee has received.

If applicable, the following documents may be placed in the master personnel file:

- Public Information Election form;

- Resume;
- Personal Data Change Form;
- Educational or professional qualifications, such as certificates, licenses, diplomas, or transcripts that verify credentials or training received;
- Job posting for which employee was hired; and
- Any additional information which is pertinent to the employee's employment.

Responding to Inquiries

All verbal and written requests for information regarding employees or former employees should be **immediately** referred to HRD. The following information will be furnished by HRD to general telephone inquiries received from the public regarding employment verifications for active or separated employees:

- employee name;
- employment dates;
- work address;
- work telephone number;
- gross salary (if quoted); and
- official job classification or title.

Open Records Act

Any request for additional information regarding employees not covered in the preceding paragraph must be submitted in writing under the provisions of the Texas Open Records Act. Only information not excluded from the provisions of the act will be released.

Under Texas Government Code Sec. 552.024, an employee may elect to keep his/her home address, home telephone number, social security number and family member information confidential from public access. If an employee desires to change the access to this information, he/she must submit a written request to HRD.

Since an employee's supervisor and Department Director are not considered "the public," the home address and home telephone number of an employee will be provided to the supervisor or Director upon request.

CHAPTER IV
SALARY ADMINISTRATION

SECTION 1: POSITION CLASSIFICATION

Policy

The City will maintain a compensation and salary administration system, which is internally equitable and externally competitive with businesses in our community, other competing markets and similar size and similar situated cities.

Pay and Classification Plan

The City maintains a Pay and Classification Plan which assigns each job title to a pay grade based on the principle of equity among positions requiring similar knowledge, skills, and abilities and having similar levels of responsibility.

Employee Type

Regular Full time –an employee who works 30 or more hours in a budgeted position. Regular full-time employees will serve a probationary period upon employment with the City.

Regular Part time – an employee who works 29 hours or less in a budgeted position. Regular part-time employees will serve a probationary period upon employment with the City.

Temporary employee – is not assigned a probationary period upon employment with the City. Temporary employees are employed to accomplish specific, short-term, or seasonal assignments. Most temporary employees will complete assignments within six (6) months. However, in some specialized positions, a Department Director may decide whether to retain an employee longer than six (6) months with review and approval of the Human Resources Director. A temporary employee who is hired into a regular budgeted position must serve a probationary period of six (6) months.

Official Job Titles and Codes

All positions shall be designated by official job titles and codes. These official titles shall be used on all official records, payroll, and communications.

Exemption Status

Exempt employees are not eligible to earn overtime pay as established by the Fair Labor Standards Act (FLSA).

Non-exempt employees are eligible to earn overtime at time and one half their rate of pay as established by FLSA.

Overtime Eligibility

Overtime commences after 40 hours per seven-day workweek for all public service employees; 80 hours per 14-day work period for patrol officers; and 159 hours per 21-day work period for firefighting employees.

Pay Grades

Pay grades are established by use of market data and internal value to the organization. When the results of a market study are implemented, a position may be reallocated based on current market data.

Pay Ranges

Each pay grade has been assigned a salary range based on a range around market averages or median for similar positions. Within this framework, a new employee's salary will be determined by their qualifications at the start of employment.

Within the general guidelines of the plan and the budget, the City Manager or designee is authorized to determine the appropriate pay grade to which each job title is allocated.

Maintenance of the Plan

The Plan will be reviewed each year to determine its adequacy for business conditions and a recommendation will be made to the City Manager. Adjustments will be made to the Plan as required.

SECTION 2: PERSONNEL AND SALARY ACTIONS

Personnel Actions (PA) Required

A PA must be completed on any personnel action (i.e. a request for new hire, promotion, reclassification, demotion, transfer, separation, position number or status change, change in hours or leave without pay). The PA must be approved by HR before the personnel action is official.

Employee Notification

Promotions or salary increases will not be processed unless approved at all levels (Department Management, HRD and Executive Management, if applicable). City practice and policy dictate that employees are not notified about any such actions until the official notification of approval is received from HRD.

PA Deadline

A PA regarding a salary change, promotion, demotion, reclassification, or transfer must be received in HRD two weeks prior to the pay period in which it is effective. Otherwise, the change will become effective the following pay period.

SECTION 3: PROMOTIONS

Promotion Defined

A promotion is defined as a change in duty assignment of an employee from a position in one classification to a position in another classification in a higher salary group requiring higher qualifications, such as greater skill or more experience, ***and*** involving a higher level of responsibility.

Promotions can also occur when there is a vacancy and opportunities to be promoted from within may be explored.

Evaluation Period

Each employee who is promoted shall serve a six (6) month evaluation period in his/her new position. Any employee who fails to perform satisfactorily during his/her evaluation period should be demoted, transferred, reassigned, terminated, or counseled using the performance management guidelines.

SECTION 4: DEMOTIONS & REASSIGNMENTS

Demotion Defined

A demotion is defined as a change in duty assignment of an employee from a position in one classification to a position in another classification in a lower salary group.

Demotions may occur for the following reasons:

- Reassignment in lieu of layoff due to a reduction in workforce. In most instances, an employee's salary will not be affected. However, the employee's salary should not exceed the maximum salary of the new pay grade;
- Sustained inadequate performance or voluntary (employee initiated) demotion; employee's salary will be decreased.

- Selection of a current employee, through a competitive posting, for a position in a lower pay grade. However, the employee's salary will be reduced. The employee's new salary must not exceed the maximum of the pay grade or fall below the pay grade minimum.

Reassignment Defined

Reassignment may be initiated by a Department Director when the best interests of the City are served by such action. It may be necessary to reassign employees to other classifications with changes in title and pay for non-performance related reasons. This could result from a reduction in force when an employee's original position is eliminated, and the City offers to reassign rather than lay off the employee. Voluntary reassignment may be requested by an employee.

SECTION 5: RECLASSIFICATIONS

Reclassification Defined

Reclassification shall not be interpreted to mean a change in the employee's work assignment, but a proper definition of classification based on current duties. A reclassification may occur when, over a period of time an employee's key areas or responsibility change significantly enough to warrant a change in classification. A position may be reclassified to another class in the same pay grade or to a higher or lower pay grade. An employee whose position is reclassified to a higher pay grade may receive an increase to at least the minimum

of the new pay grade. If a position is reclassified and remains assigned to the same pay grade or is moved to a lower grade, no pay adjustment will take place.

Supervisors are required to review significant proposed changes in key duties with HRD prior to discussion with the employee.

Reclassification Review

An annual review of classified positions will be conducted by October 1st of each fiscal year to ensure each position is properly classified.

When a department believes that a reclassification is necessary to meet their business needs, a review may be requested as outlined in the Compensation Manual.

SECTION 6: MANDATORY PAYROLL DEDUCTIONS & DIRECT DEPOSIT

Federal Income Tax

The percentage deducted for federal income tax varies with the salary and W-4 (Employee's Withholding Allowance Certificate) of an employee.

Social Security Tax

A total of 7.65 percent will be deducted from each employee's salary over an annual period for FICA and Medicare. (Note: Amounts deducted for FICA and Medicare are governed by federal law and are subject to change.)

Employee Retirement

Full-time and part-time City employees working a standard twenty (20) hour work week are required to become a member of the Texas Municipal Retirement System (TMRS) on the first day of City employment. The employee's contribution is deducted from each paycheck.

Contributions to an employee's retirement account are based on gross salary:

- 7% is contributed by the employee, and
- 14% is contributed by the City.

Direct Deposit

All employees are required to participate in payroll direct deposit. This means that your pay will be deposited directly into your account(s) at a participating institution each payday.

All employees are responsible for notifying payroll two (2) weeks in advance of closing a primary or secondary account to avoid a delay in funds being available. Funds going to a secondary account that are closed without prior knowledge to payroll will be reimbursed the next pay period.

CHAPTER V
EMPLOYEE BENEFITS

SECTION 1: INSURANCE COVERAGE

Group Insurance Plan

The City pays a portion of the premium for employee health, dental and vision coverage for full-time active employees. Full-time employees are those working thirty (30) hours or more. Eligible employees may add dependent coverage at the employee's expense. Insurance plans include:

- Health Insurance
- Dental Insurance
- Vision Insurance
- Basic Life Insurance
- Long Term Disability

Supplemental Coverage

The City offers voluntary supplemental insurance through a third-party administrator. Supplemental coverage includes:

- Optional Life Insurance
- Short Term Disability
- Legal Protection Plan

Workers' Compensation

Employees are covered by the Workers' Compensation Insurance Program. This program provides medical and salary continuation payments to employees and/or qualified volunteers who receive bona fide, on-the-job, work-related injuries.

Retirement Plan

The City is a member of the Texas Municipal Retirement System (TMRS), a non-traditional joint contributory, defined contribution plan. Membership in the retirement system is mandatory for all regular full-time and part-time (20 hours per week) employees (defined by TMRS as an employee who works in excess of 1,000 hours per year). Both the employee and the City contribute to the employee's retirement account. Employees who leave City employment prior to retirement may request a refund of their contributions plus interest earned from TMRS.

Retirement benefits are determined by a formula that takes in account the average life expectancy of a person at the time of retirement, the amount deposited in the employee's account, the future interest rate assumption as set by law, and which of the benefit payment plans the employee selects.

Deferred Compensation

The City offers a supplemental deferred compensation program, which allows employees to defer a portion of their expendable gross earnings up to an established maximum per year. Under this plan, the amount of salary, which is deferred, is not taxed in the current year. Both the salary deferred and the

earnings it generates are permitted to accumulate without being subject to taxes until the employee receives payments from his or her account.

Flexible Spending Accounts

The City offers flexible spending accounts for dependent childcare reimbursement and unreimbursed medical expenses. This program allows employees to be reimbursed for dependent childcare expenses and for out-of-pocket health care expenses. Employees elect to contribute money to one or both accounts on a pre-tax basis through payroll deduction.

Premium Payment While on Leave Without Pay

Employees on Leave Without Pay for a full calendar month must pay the total amount of their insurance premiums unless the absence is due to circumstances associated with the Family and Medical Leave Act (FMLA). Arrangements for payment may be made by contacting the Benefits Division in HRD. Arrangements for payment should be made before going on Leave Without Pay whenever possible. **Failure to pay premiums in a timely manner could result in cancellation of insurance coverage.**

Employees on FMLA Leave

Employees on FMLA leave are entitled to the City contribution and may keep the coverage they had while working. Also, employees on FMLA leave are responsible for paying their portion of the insurance premiums on the first of each month.

Protected Health Information

The privacy of protected health information will be maintained in accordance with HIPAA laws and the regulations specified in Standards for Privacy of Individually Identifiable Health Information, as well as applicable state laws governing the use and disclosure of health information.

The Benefits Manager is designated as the City's Privacy Officer for the health plan. Any questions regarding the policies and procedures in this directive shall be directed to the Benefits Manager's attention. Concerns and issues regarding violations of the terms of this policy or your rights as described in the Privacy Notice should be reported immediately.

Employees may contact HRD concerning issues involving claims for health care expenses. All employees enrolled in the City's health plan must diligently protect the privacy of personally identifiable health information.

Employee Health Clinic

Employees on the City's health plan have access to the employee clinic, RockCare. The City may change eligibility for employees who are not eligible for the City's health plan. This benefit allows employees to receive medical care at no out of pocket cost. Employees with medical appointments at the clinic should use their own leave time.

Employee Wellness Center

All regular employees have access to the Employee Wellness Center. This benefit allows employees free access to the Wellness Center, which includes a gym, using their City issued ID card. Employees who use the Wellness Center during work hours should use their own leave time. Employees using the Wellness Center during work hours or at any other time are using it at their own risk and not during the course and scope of their work as a City employee.

SECTION 2: FLEXIBLE SPENDING ACCOUNTS

Flexible Spending Accounts

City employees may elect to participate in a flexible spending account. Flexible spending accounts are divided into three separate types:

Section 125 Premiums is a method to pay for the employee's portion (those not covered by the City's contribution) of the insurance premium costs with tax-free dollars.

The **Health Care Reimbursement Account** allows employees and their dependents to pay for eligible health care expenses (those expenses not paid by insurance) with pre-tax dollars. The eligible health care expenses claimed through the Health Care Reimbursement Account may not be claimed on the employee's Federal Income Tax return. Health care expenses must be for medical, dental, vision or hearing care costs.

The **Dependent Care Reimbursement Account** allows employees to pay for certain eligible dependent care expenses with pre-tax dollars. The dependent care expenses must be necessary for the employee to continue working, and if married, the spouse must also be employed. Certain IRS requirements must be met. The eligible dependent care expense claimed through the Dependent Care Reimbursement Account may not be claimed on the employee's federal income taxes.

No federal taxes (withholding or Social Security) are deducted from employee wages for amounts converted. The employee contribution is deducted from the employee's paycheck as stipulated by the employee. Employees must sign up for Health and Dependent Care Accounts annually.

SECTION 3: RETIREMENT BENEFITS

Retirement Eligibility

A Texas Municipal Retirement System (TMRS) member who has service credit in the system is eligible to retire and receive a service retirement annuity if the member is:

- at least 60 years old and has at least 5 years of service credit with TMRS; or
- at least 20 years of service credit with TMRS, regardless of age.

Retirement Benefits

The monthly retirement benefit amount is based on several factors such as total member deposits plus interest, city matching funds and other credits granted, life expectancy of the member and beneficiary, future interest (assumed), the monthly payment plan chosen by the member, and whether a partial lump sum distribution is taken. For a true estimate of benefits or any other questions regarding retirement, employees may contact TMRS or the Benefits Division in HRD.

SECTION 4: DEFERRED COMPENSATION

Voluntary Salary Deferment

The City of Round Rock offers a deferred compensation plan to City employees: Deferred Compensation Plan (IRS Code Section 457). The plan administrator is a third-party vendor. Employees may participate voluntarily in the plan.

The plan allows an employee to defer part of their salary before income tax is deducted. The amounts deferred are not considered wages for federal income tax but are considered wages for Social Security taxes. The purpose of these plans is to allow employees to establish supplemental retirement funds to provide additional income upon retirement or separation from City employment. Federal income tax liability is deferred on this income until a distribution is received.

457 Plan

In the 457 Plan, products available are passbook savings accounts, certificates of deposit, mutual funds, annuities, and life insurance. The list of vendors and contribution amounts is available through the administrator of the 457 Plan.

SECTION 5: WORKERS' COMPENSATION

Policy

In the event of an occupational injury or illness due to a work-related incident, the City makes every effort to provide immediate assistance to the affected employee in accordance with the Texas Workers' Compensation Commission Rules on the injured worker rights and responsibilities.

Guidelines

City employees must report any work-related injury, illness, or exposure to the immediate supervisor as soon as the incident occurs.

The supervisor must immediately report the injury or illness to the Workers' Compensation Liaison for guidance and to initiate the process. Assistance for immediate medical attention must be provided to the injured worker as appropriate.

The supervisor must conduct an initial investigation of the incident and then complete an Incident Report form with the affected worker.

The Department representative will conduct further investigations or inquiries in accordance with the Department Risk Management Plan. The Safety & Risk Management Division will assist when necessary.

The completed and signed Incident Report form, with relevant statements and reports, must be forwarded immediately to HRD in order to complete and submit the Division of Workers' Compensation (DWC) Employer's First Report of Injury or Illness form DWC-1. The completed form DWC-1 is forwarded by HRD to the designated insurance carrier for further eligibility evaluation and determination.

The designated insurance carrier notifies DWC and the injured worker (claimant) of actions taken, reasons for such actions, and/or any events affecting the claim and/or benefits.

Injured Worker Rights

An injured City worker may have the right to receive benefits. An injured City worker has the right to:

- receive reasonable and necessary medical care;
- receive assistance from appropriate, qualified DWC staff; and
- confidentiality within the scope of proper case management and legal constraints.

Injured Worker Responsibilities

An injured City worker has the responsibility to:

- report to the immediate supervisor all work-related injuries and illnesses;
- inform DWC and the insurance carrier of any employment, employer, or income changes;
- attend all scheduled medical appointments;
- tell the treating physician how the worker was injured and if the worker believes the injury may be work-related;
- inform DWC and the insurance carrier how to contact him or her; and
- immediately provide Workers Compensation liaison with a copy of any and all discharge notes/reports.

City's Rights

The City has the right to:

- contest the compensability of a claim;
- be informed by the insurance carrier of any dispute resolutions or court proceedings;
- attend any dispute resolution proceeding related to a claim;
- present any relevant evidence about a disputed issue;
- report suspected workers' compensation fraud to DWC and the insurance carrier; and
- review any and all discharge notes/reports.

City's Responsibilities

The City has the responsibility to:

- report work-related injuries and illnesses including supplemental reports;
- report an injured worker's wages and other compensation to the insurance carrier;
- report any changes in an injured worker's pay or employment;
- keep a record of work-related injuries, illnesses, and fatalities; and
- provide workers with notice of coverage and responsibilities.

Prohibited Actions

It is a violation of City policy, procedures and state and federal law for any employee, supervisor, or manager of the City to discharge, discipline or in any other manner, discriminate against an employee of the City because the employee:

- files a workers' compensation claim in good faith;
- hires a lawyer to represent the employee in a workers' compensation claim;
- institutes or causes to be instituted in good faith a proceeding under the Texas Workers' Compensation Act; or
- testifies or is about to testify in a proceeding under the Texas Workers' Compensation Act.

Fraudulent Claims

Evidence and information indicating that a claim was submitted for workers' compensation leave, benefits, and medical treatment, and was established through fraudulent acts or deceptive practices, shall be investigated by the City and the insurance carrier. Results of investigations will be evaluated and actions will be taken in accordance with DWC Rules on Compliance and Practices.

Pre-existing Injuries

City employees must report any signs of complications that may be related to a previously reported and managed work-related injury or illness. The immediate supervisor must consult with HRD for further evaluation and determination. A new Incident Report Form is required.

SECTION 6: RETURN TO WORK POLICY - WORKERS' COMPENSATION

Policy

If a City employee sustains a work-related injury or illness and is released back to work by the treating physician to perform restricted duties, the employee is assigned to modified duties suitable to his or her physical ability and condition.

Guidelines

Supervisors must provide the injured worker with a statement of his or her essential job functions. The injured employee must share the essential job functions with the treating physician for evaluation and determination.

A release authorization and clarification of any restrictions is needed from the treating physician with respect to employee work restrictions and essential job functions. The Injured employee must provide HRD with the statement/document of release provided by the treating physician.

HRD will review and evaluate the provided release authorization for appropriate actions and assignments and inform the supervisor of restrictions.

HRD will forward a Supplemental Report of Injury to the insurance carrier indicating any changes in the injured employee's duty status.

The injured and released employee must comply with the recommendations of the treating physician, and the work plan as established by the employee's immediate supervisor in support of the intent and benefit of restricted duty status.

If the injured employee refuses to accept the reasonably modified duties, and willingly fails to comply with the plan, the employee will be referred to HRD for further case management and possible disciplinary action up to and including termination.

The Safety & Risk Management Division will provide continuous case monitoring and support to ensure the safety and well-being of the injured worker.

SECTION 7: RETURN TO WORK POLICY – NON-WORK-RELATED INJURY & ILLNESS

Policy

City employees must report all serious injuries, illnesses, and exposures which occurred away from work, even if the event did not occur during the performance of activities related to the course and scope of their duties.

Guidelines

City employees must report off duty injuries and illnesses to the immediate supervisor.
The supervisor will notify the employee of FMLA and refer them to HRD for further guidance.

The supervisor monitors the progress of the employee's condition and will notify HRD of status and request guidance and assistance as appropriate.

Employees with a medical statement recommending three or more consecutive sick leave days will be designated FMLA if eligible.

Off the Job Injury or Illness

Off the job injuries, illnesses, and exposures with potential health effects, which may impact the employee's ability to perform the essential job functions must be reported to the immediate supervisor. The immediate supervisor and the affected employee must consult with the Risk Manager for further guidance and proper case management.

Employees who require accommodations based on a non-work-related injury will be evaluated with department management and HRD to determine if the request can be approved.

SECTION 8: EMPLOYEE ASSISTANCE PROGRAM

Employee Assistance Program

The City has an Employee Assistance Program (EAP) to help employees and their families resolve job-affecting problems. Employees may participate in the EAP:

- voluntarily by self-referral or by their family; or
- as suggested by their employer.

Confidentiality

Confidentiality for participants in the EAP is guaranteed by law. The program will not reveal to others, including City management officials, the diagnosis or particular problem, nor will such information be allowed to become part of the City personnel records.

Advising Supervisor

Employees who advise their Department Director or designee that they will be seeking assistance through the EAP during work hours will not be charged leave for occasional counseling sessions or visits of short duration (generally less than a few hours). The number of visits allowed is 6. After the 6th visit, employees are referred to other agencies, as appropriate. There are exceptions, including immediate referrals after the initial assessment.

Employees who prefer not to advise their Department Director or designee may either schedule appointments during non-work hours or request approval to use available forms of leave under existing personnel policy.

For information concerning the Employee Assistance Program, contact the Benefits Division in HRD.

SECTION 9: HOLIDAYS

Policy

The City is committed to providing a competitive benefit to recognize traditional holidays preserving the rich heritage and traditions of our community and enhancing the quality of life.

Designated Holidays

The City Council designates holidays for City employees. The following days are observed as paid holidays:

- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Memorial Day
- Juneteenth Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving and the Friday following Thanksgiving
- Christmas Eve and Christmas Day; **or**, when Christmas Day falls on a Monday, Christmas Day and either the preceding Friday or following Tuesday; **or** when Christmas Eve falls on a Friday, Christmas Eve will be observed on the preceding Thursday.

If the holiday falls on a Saturday, the preceding Friday shall be observed. If a holiday falls on a Sunday, the following Monday shall be observed.

Additionally, September 11 is designated as a paid holiday for Firefighters. However, the September 11 holiday must be taken in lieu of another holiday designated above.

No employee will receive more than twelve (12) holidays per calendar year.

Eligibility

Regular full-time employees and part-time employees who are normally scheduled to work at least twenty (20) hours per week are paid for holidays. Payment is based on the number of hours they would have worked if the holiday had not occurred. However, employees will not receive more than eight (8) hours leave time for the holiday. Temporary employees or employees who are normally scheduled to work fewer than twenty (20) hours per week are not paid for holidays except for holiday hours actually worked.

An employee who is absent without approved leave or is on unapproved leave without pay on the workday immediately preceding or following a holiday will not be paid for the holiday.

Business Necessity

It is not always feasible to grant holidays at the scheduled time, especially for employees who are assigned shifts on an "around-the-clock" operation. Additionally, with the approval of the City Manager, a Department Director that finds it a business necessity to do so may direct some or all employees of the department to report for work on a holiday.

Holiday Pay

Public Service non-exempt employees who work on a holiday will be paid for the hours worked at straight time and will receive eight (8) hours of holiday pay.

Employees who are sick on a holiday for which they are scheduled to work will document the leave as holiday leave rather than sick leave.

If an official holiday falls within a Public Service employee's vacation, the employee will be granted the holiday and not charged for a day of vacation. Holiday pay is considered productive time and will be treated as hours worked for purposes of calculating overtime and other applicable payroll-related calculations, with the exception of Firefighters as set forth in Article 6, Section 2 of the Meet and Confer Agreement between the City and the Round Rock Firefighters Association, IAFF Local 3082.

Flexible Schedules

When a holiday falls on a day for which an employee is normally scheduled to work more than eight hours, the employee may either take available leave for the difference, work additional hours on another day in the workweek or revert to an 8-hour workday during the holiday week. An employee on a flexible schedule will not receive more than forty (40) hours pay during a holiday week, unless approved by the Director to meet the business needs of the department.

Holiday Leave for Patrol Officers and Firefighters

Since police patrol and fire protection must be provided around-the-clock and year-round, they remain open on holidays. To provide equivalent holiday leave time to these employees, the City has established policies for holiday leave accrual and usage for these departments.

Police Patrol Officers earn holiday leave credit of 48 hours in January and 48 hours in July each calendar year. Patrol Officers will not receive more than 96 hours of holiday leave in a calendar year. Hours may not be used until they have accrued and are visible in ESS.

Firefighters earn holiday leave credit of 72 hours in January and 72 hours in July each calendar year. Firefighters will not receive more than 144 hours of holiday

leave in a calendar, reflecting the greater number of hours worked per year by firefighters than by other City employees. Hours may not be used until they have accrued and are visible in ESS.

Holiday leave time expires at the end of each calendar year and will be zeroed out effective December 31 of each calendar year. Employees are encouraged to take their holiday leave within the calendar year or lose the holiday leave accrual. Holiday Leave will not be paid out upon leaving the City.

SECTION 10: ACCOUNTING FOR LEAVE

Leave Records

The City of Round Rock is required to keep a record of time and attendance, the vacation and sick leave accrual and absences of each employee, and reasons for the employee absences whether from sickness, vacation, other paid leave, or leave without pay.

All employees are required to report hours worked and leave taken accurately and meet the established deadlines. A deliberate misrepresentation of hours worked, leave taken, or an unauthorized absence will result in disciplinary action up to and including termination.
The employee's supervisor must approve all leave time taken within the established deadlines. Leave taken may be paid or unpaid.

Unauthorized Absence

An unauthorized absence occurs when an employee:

- takes leave without prior approval as required; or
- is absent from work and fails to notify the supervisor within the established time frame.

Leave Balances

Upon approval by the supervisor, the employee may use any available holiday or vacation leave time.

Sick leave may only be used for illness of the employee or immediate family members.

Negative leave balances are not allowed.

Supervisor's Responsibility

Supervisors are responsible for determining that leave has been accrued and is available for use in the amounts requested by an employee. Department Directors are responsible for ensuring that all leave taken is recorded in the system used for recording time and approved within the established deadlines.

Medically Related Absence

If an absence is medically related, the leave request form must include a reason or explanation (ex. Dr. appt, child sick, self-sick, etc.) for the absence and is to be submitted promptly to the immediate supervisor.

Excessive Absenteeism

Disciplinary action, up to and including termination, could result from excessive absenteeism. This is evident when an employee is unable to adequately perform

his/her job due to absenteeism, or when the normal day-to-day work activities of the office are disrupted due to excessive and/or unscheduled leave by the employee.

Absent Without Authorization

An employee who fails to report to or remain at work, or who fails to return to work upon expiration of approved leave, may be considered absent without authorization (AWL). Unless the employee produces a satisfactory explanation for the unauthorized absence, disciplinary action, up to and including termination, will result.

Job Abandonment

An employee who fails to report to work without notifying their supervisor of the absence for three (3) consecutive days will be considered to have abandoned his or her position with the City.

SECTION 11: VACATION LEAVE

Policy

Regular full-time employees and regular part-time employees who are normally scheduled to work at least twenty (20) hours per week are eligible to accrue vacation leave. Employees are encouraged to take regular vacation time at least annually. Vacation leave is considered productive time and will be treated as hours worked for purposes of calculating overtime and other applicable payroll-related calculations, with the exception of Firefighters as set forth in Article 6, Section 2 of the Meet and Confer Agreement between the City and the Round Rock Firefighters Association, IAFF Local 3082.

New employees may not take vacation leave during the six (6) month probationary period. Employees who leave employment during the first six (6) months will not be paid for accrued vacation leave. Employees who fail to give two (2) weeks' notice will not be paid for accrued vacation leave. Payout may occur in this instance, if mutually agreed upon between the employee and department management, that two (2) weeks' notice is waived.

Leave Accrual and Carryover

Vacation leave will accrue in the first and second pay period for each month provided that the eligible full-time employee works at least forty (40) hours, and the part-time employee works at least twenty (20) hours during the pay period. Vacation leave will continue to accrue while an employee is on any amount of paid leave. Leave can be taken after it shows as an accrual on the pay statement. During the six (6) month probationary period, employees may not use accrued vacation leave.

Regular status employees who are normally scheduled to work at least twenty (20) hours per week accrue vacation leave at a prorated rate.

Temporary employees (full-time or part-time) and regular part-time employees who are normally scheduled to work fewer than twenty (20) hours per week do not earn vacation leave.

PUBLIC SERVICE:

Regular, full-time employees earn:

Length of Service	Leave Accrual 24 pay periods a year	Maximum Accrual
First pay period to 107 months	5 hours	288 hours
108 months and over	6.7 hours	320 hours

POLICE DEPARTMENT: Regular, full-time commissioned Police Officers earn:

Length of Service	Leave Accrual 24 pay periods a year	Maximum Accrual
First pay period to 107 months	5 hours	288 hours
108 months and over	6.7 hours	320 hours

FIRE DEPARTMENT: Regular, full-time Administration Firefighters earn:

Length of Service	Leave Accrual 24 pay periods a year	Maximum Accrual
First pay period to 107 months	5 hours	416 hours
108 months and over	6.7 hours	437 hours

FIRE DEPARTMENT: Regular, full-time Suppression Firefighters earn:

Length of Service	Leave Accrual 24 pay periods a year	Maximum Accrual
First pay period to 107 months	10 hours	624 hours
108 months and over	13 hours	656 hours

Firefighters moving from Suppression to Administration for a period more than ninety (90) days shall have their vacation leave bank divided by 1.4.

Firefighters moving from Administration to Suppression for a period more than ninety (90) days shall have their vacation leave bank multiplied by 1.4.

Employees are encouraged to use their accrued vacation leave each year as it is earned. Employees whose vacation leave balance exceeds the maximum carryover amount will no longer accrue leave. Leave will begin to accrue once the balance is below the maximum accrual.

Maximum Accrual Use of Vacation Leave

Supervisors should encourage their employees to schedule vacations and request leave in advance. If it is necessary to refuse an employee's request to take vacation leave, the supervisor should explain the reason to the employee and another time should be scheduled.

When employees take a full workday of vacation leave, they are charged with the actual number of hours they would have worked that day. Use of vacation leave for a portion of the day is recorded in increments of fifteen minutes.

If a holiday occurs while an employee is on vacation leave, the holiday time off will not be charged to the employee's vacation leave.

Vacation Leave Payout

Separation from Employment – When an eligible employee who has completed six continuous months of employment separates from employment, he/she may be eligible to be paid for unused vacation leave. The maximum payout amount for unused vacation will be 320 hours for Public Service employees and Police Officers. The maximum payout amount for unused vacation will be 624 for Firefighters in Suppression and 416 for Firefighters in Administration. Firefighter vacation pay out will be based on their rank and hourly rate at time of separation.

Involuntary terminations or employees failing to give two (2) weeks' notice of their resignation will not receive a vacation payout. Payout may occur in this instance, if mutually agreed upon between the employee and department management, that two (2) weeks' notice is waived.

Death of Employee – Unused vacation leave will be paid to the designated beneficiary or estate of the employee if the employee has completed the probationary period.

SECTION 12: SICK LEAVE

Policy

Regular full-time and part-time employees who are normally scheduled to work at least 20 hours per week are eligible to accrue and use paid sick leave. Sick leave is not considered productive hours.

Public Service Employees Accrual

Sick leave entitlement will accrue the first and second pay period for each month provided that the full-time employee works at least 40 hours, or the part-time employee works at least 20 hours during the pay period. Sick leave will continue to accrue while an employee is on any amount of paid leave.

Regular full-time public service employees and police officers accrue 8 hours of sick leave per month. There is no maximum accrual limit. Regular part-time employees who are normally scheduled to work at least 20 hours per week accrue sick leave at a prorated rate.

Sick Leave Accrual for Civil Service Employees

Regular full-time firefighting employees accrue 15 hours per month, with no maximum accrual limits.

Use of Sick Leave

An employee may use sick leave if the employee is absent from work due to:

- illness or temporary disability due to sickness, injury or pregnancy and confinement;

- an appointment with a doctor (including general physicians, dentists, obstetricians, or other licensed medical specialists);
- legal or doctor ordered quarantine; or
- illness of a member of the employee's immediate family who requires the employee's personal care and attention. Sick leave for immediate family members not residing in the employee's household is limited to time necessary to provide care and assistance.

Immediate family includes spouse, child, parent, mother-in-law, father-in-law, daughter-in-law or son-in-law of the employee or any relative living in the employee's household.

Use of sick leave for other family members may be approved by the Department Director with consultation from HRD.

Employees using sick leave are charged with the actual number of hours taken. Use of sick leave for less than a full workday should be recorded in increments of 15 minutes.

Consecutive Days of Sick Leave

An employee must provide his or her supervisor with a doctor's certificate to return to work when absent for five or more consecutive days due to injury or illness. All other relevant medical information or FMLA documents shall be submitted to HRD.

Misuse of Sick Leave

Use of sick leave for a purpose other than that for which it was approved, requested, or intended, or for a reason that is not in compliance with the leave management procedure.

Evidence of abuse of leave privileges can include, but is not limited to:

- frequent absences on Friday and/or Monday;
- exhausting leave as it is accrued; or
- frequent absences prior to or following a holiday.

Employees who are disciplined for abusing sick leave may be required to bring a doctor's statement when using sick leave.

Illness While on Vacation Leave

When an illness or physical incapacity occurs during the time an employee is on vacation leave, accrued sick leave may be granted to cover the period of illness or incapacity and the charge against vacation leave reduced proportionately. A medical statement must be presented to the supervisor to be eligible for adjusted leave.

Catastrophic Leave Donations

Employees may donate sick leave to the Catastrophic Leave Pool provided they have more than eighty (80) hours of sick leave remaining. Donations are strictly voluntary and are at the discretion of the employee. All donations are irrevocable.

Exhausted Leave

An employee who has exhausted his or her sick leave can use vacation to cover the absence. If the employee does not have vacation leave available, then leave without pay will be granted. No advance of unearned sick leave benefits will

be made for any reason. Qualifying employees may request leave from the Catastrophic Leave Pool in advance of their absence.

Separation From Employment

Public Service employees with unused sick leave accrued after January 1, 1994, will receive in a lump sum payment ten (10) percent of their remaining sick leave balance up to 100 hours upon voluntary separation of employment.

To be eligible, an employee must have ten (10) years of service with the City of Round Rock and a current sick leave balance of at least four hundred (400) hours. Involuntary terminations or employees failing to give two (2) weeks' notice of their resignation will not receive a sick leave payout. Payout may occur in this instance, if mutually agreed upon between the employee and department management, that two (2) weeks' notice is waived.

Civil Service firefighters who leave the classified service for any reason are entitled to receive in a lump-sum payment the full amount of their firefighter's salary for accumulated sick leave not to exceed ninety (90) days based on their current rank using the suppression rate on the current pay scale at time of separation. The hours paid will not exceed 1080 hours.

SECTION 13: CATASTROPHIC LEAVE

Policy

Employees may donate sick leave to the Catastrophic Leave ("Pool") so that eligible employees will be able to remain on a paid status for a longer period of time when they have exhausted all leave balances. The amount of leave for the Pool is dependent upon the donations by employees.

Eligibility

For an employee to be eligible to receive hours from the Pool, the employee must have a qualifying event which is estimated to last for at least thirty (30) calendar days from onset of qualifying event. In addition, the following requirements must also be met:

- The employee must be regular full-time or regular part-time status;
- The employee must have at least twelve months of employment with the City of Round Rock;
- The employee must have exhausted all paid leave balances; and
- The employee must not have been disciplined for leave abuse during the 12-month period immediately preceding the qualifying event.

The City Manager has the discretion to waive the eligibility criteria at any time.

Donations

Donations to the Pool are strictly voluntary and are at the discretion of the employee. Donations can be made as follows:

- Employees who donate hours from sick leave balances must have a remaining balance of more than eighty (80) hours. Donations from public service employees and police officers must be made in eight (8) hour increments and donations from firefighting employees must be made in twelve (12) hour increments.

- Donations may be made once per quarter and are irrevocable.
- Employees may not designate who the recipient of their donated hours will be; hours from the Pool will be distributed to employees who apply and are eligible.
- Employees separating service from the City of Round Rock are strongly encouraged to donate their Sick Leave to the Pool. Such donation may not exceed 480 hours.

Should the balance of the Pool fall below 960 hours, the City may request donations from employees.

Application Guidelines

Employees who have exhausted all paid leave due to a qualifying event must follow the application process to request leave from the Pool.

Employees experiencing an FMLA qualifying event who are not able to complete the application process may appoint a designee to initiate and complete the process.

General Guidelines

All applications must be submitted to the FMLA Coordinator for review and authorization of leave from the Pool.

All Pool hours must be used on a continuous and uninterrupted basis until the earliest of the following occurs:

- The qualifying event is resolved or terminated;
- The employee is released to return to work;
- The employee's employment terminates; or
- The Pool is exhausted.

All requests submitted to the FMLA Coordinator will be considered on a first-come/first-served basis, with priority given in the following manner:

- First priority: applications involving eligible employees who themselves are experiencing an FMLA qualifying event.

- Second priority: applications from employees who are experiencing an FMLA qualifying event based on the condition or status of an eligible family member.

Maximum Hours

Eligible employees may not receive more than 960 hours during their tenure with the City of Round Rock.

SECTION 14: FAMILY AND MEDICAL LEAVE ACT (FMLA)

Policy

The City of Round Rock will provide twelve (12) weeks of paid or unpaid leave for a FMLA qualifying event. FMLA leave will be paid when employees choose to use their applicable accrued leave.

Eligibility

To be eligible for FMLA leave, an employee must have worked for the City for 12 months and have worked at least 1,250 hours during the 12 months immediately before the date when the leave is requested to begin. The 12 months need not have been consecutive.

An eligible employee is entitled to 12 workweeks of paid or unpaid leave during a rolling 12-month period for the following purposes:

(1) birth of a son or daughter of the employee and in order to care for such son or daughter;
(2) placement of a son or daughter with the employee for adoption or foster care;
(3) in order to care for the spouse, or a son, daughter, or parent of the employee if such spouse, son, daughter, or parents has a serious health condition;
(4) a serious health condition that makes the employee unable to perform the functions of the position of such employee, or;
(5) due to any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call to order to active duty) in the Armed Forces in support of a contingency operation.

An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member is entitled to 26 workweeks of paid or unpaid leave during a single 12-month period to care for the service member.

Definitions

The FMLA provides the following definitions:

- "Son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in the place of a parent. The child must be under 18 years of age or an individual 18 years of age or older who is incapable of self-care because of a mental or physical disability.

- "Spouse" means a husband or wife as defined or recognized under state law for purposes of marriage, including common law marriage. "Spouse" also includes individuals in lawfully recognized same-sex and common law marriages and marriages that were validly entered into outside of the United States if they could have been entered into in at least one state.

- "Parents," means biological, or someone who was the employee's legal guardian.

- "Covered Service member" means a member of the Armed Forces. Including a member of the National Guard Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

- "Outpatient Status" with respect to a covered service member, means status of a member of the Armed Forces assigned to:

  (A) a military medical treatment facility as an outpatient; or

  (B) a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

- "Next of Kin" used with respect to an individual, means the nearest blood relative of that individual.

- "Serious Injury or Illness" in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty or active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

- "Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves:

  (A) Inpatient care in a hospital, hospice, or residential medical care facility or;

  (B) Continuing treatment by a health care provider.

- "Genetic Information" includes an individual's family medical history, the results of an individual or family member's genetic tests, the fact that an individual or a family member sought or received genetic services, and genetic information of a fetus carried by an individual or a family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

"Rolling" 12 Month Period

The "rolling" 12-month period is measured starting from the date an employee's first FMLA leave begins. Subsequent qualifying period of FMLA leave are measured from the end of the previous FMLA event.

Limits of Benefits

If spouses are employed by the City and the qualifying event is related to the birth or placement of a child, or a serious health condition of a parent, 12 workweeks of leave is the aggregate leave limit for both during any 12-month period.

If spouses are employed by the City, and the qualifying event is related to care for a covered service member, 26 workweeks of leave is the aggregate leave limit for both during the single 12-month period.

Intermittent Leave or Reduced Work Schedule

FMLA Leave may be taken on an intermittent basis, or an employee may request a reduced work schedule as determined by the certification. The City and the employee must mutually agree to a schedule.

Status & Benefits Protection

An employee on FMLA leave does not lose any previously accrued seniority or employment benefits but does not earn any leave or other benefits during the unpaid portion of the leave.

While an employee is on FMLA leave, the City will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

While on paid leave, the City will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail, by the due date required by the City. If the payment is more than thirty (30) days late, **the employee's health care coverage may be dropped for the duration of the leave**. The City will provide fifteen (15) days' notice prior to the employee's loss of coverage.

Extension of Leave after FMLA

Extensions of leave after the FMLA 12 or 26 workweek period expires may be authorized by the City Manager and the employee's Department Director in no more than one-month intervals. A careful review must be conducted prior to authorizing any extension. The reason(s) for granting the extension must be documented in the employee's medical file.

Documentation

All documentation regarding FMLA leave will be filed in the employee's medical file, which is maintained separate from the personnel files and is accessible by individuals only on a "need-to-know" basis or as otherwise required by law.

Return to Work

After completion of FMLA leave, an employee will be returned either to the same position he or she held before the leave began or to a position equivalent to the previously held position in pay, benefits, and other terms and conditions of employment.

This policy may be modified for "key employees," defined as those salaried employees in the highest paid 10 percent of the City's workforce. Key employees will be notified in advance of their status. Regardless of whether the FMLA leave period is paid, unpaid, or a combination of both, the employee's health insurance coverage will be continued in the same manner and at the same level as prior to the FMLA leave period.

Should the employee decide at any time after FMLA leave begins, that he or she will not return to work at the City, the employee must reimburse the City for health coverage premiums paid by the City unless the reason for not returning to work is the continuation, recurrence, or onset of a serious health condition, or other circumstances beyond the employee's control. Medical condition is subject to certification.

Lactation Accommodation

The City will provide full time female employees a reasonable amount of time to express breast milk for nursing a child up to one year after the child's birth. The employee and her immediate supervisor will agree on the times for these breaks.

Each department is expected to designate a specific room in their facility for this purpose. Departments that are close in proximity to each other may identify one shared location. The Lactation Room will be designated as such, and employees will be made aware of the location and should be used for no other purpose.

All employees are required to perform their job duties and meet performance standards without regard to accommodation made according to this policy.

SECTION 15: EMERGENCY LEAVE

Policy

The City may provide paid absences for a death in an employee's immediate family.

For purposes of emergency leave, "immediate family" includes spouse, child, parent, brother, sister, mother-in-law, father-in-law, daughter-in-law, or son-in-law or grandparents of the employee.

Three (3) Day Maximum

Emergency Leave should be submitted to the Department Director or his/her designee in advance. Normally, up to three (3) days will be approved. If extensive out-of-state travel is involved, two (2) additional days may be granted by the Department Director after consultation with HRD. An employee may use vacation or sick leave for additional time off, with Director approval.

Other Reasons

The City Manager or his/her designee may grant Emergency Leave for reasons other than bereavement if the employee shows good cause. (e.g., house fire, flood, tornado, etc.) The granting of such leave is at the sole discretion of the City Manager and is granted only if it is determined to be in the best interest of the City. These requests should be directed to the Human Resources Director.

SECTION 16: MILITARY LEAVE

Policy

The City is committed to protecting the rights of employees absent on military leave. In accordance with federal and state law, no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied:

- employment,
- reemployment,
- promotion, or
- other benefit of employment on the basis of such membership.

Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or this policy.

Eligibility

Employees performing military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists, National Guard members for training, periods of active military service, and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Authorized Training for Duty

An eligible employee who is called to active duty or authorized training as a member of the Texas National Guard or any of the reserve components of the United States Armed Forces is entitled to a leave of absence from his or her respective duties for fifteen (15) days in a federal fiscal year without loss of time, performance rating, vacation time, or salary. The fifteen (15) days need not be consecutive.

After exhausting the fifteen (15) days of military leave, the employee may use accrued vacation leave, with Director approval, to the extent available or be placed in a leave without pay status (or combination of the two) for the remainder of the active-duty period. If a new federal fiscal year occurs during deployment, the new fifteen (15) days will be granted upon return from the current deployment.

Benefits

If an employee is absent from work due to military service, the employee must visit with HRD prior, benefits will continue as follows:

1. An employee on extended military leave may elect to continue group health insurance coverage for the employee and covered dependents under the same terms and conditions for a period not to exceed 31 days from the date the military leave of absence begins. The employee must pay, per pay period, the premium normally paid by the employee. After the initial 31-day period, the employee and covered dependents can continue group health insurance for up to 24 months at the COBRA rate.

2. Employees do not accrue vacation, personal leave, holiday bank, sick leave, or additional military leave while on military leave of absence status.

3. With respect to the City's retirement plan, upon reemployment, employees who have taken military leave will be credited for purposes of vesting with the time spent in military service and will be treated as not having incurred a break in service. Immediately upon reemployment, the employee may, at the employee's election, make any or all employee contributions that the employee would have been eligible to make had the employee's employment not been interrupted by military service. Such contributions must be made within a period that begins with the employee's reemployment and that is not greater in duration than three times the length of the employee's military service. Employees will receive all associated City matches for such contributions.

Re-Employment

Upon an employee's prompt application for re-employment (as defined below), an employee will be reinstated to employment in the following manner depending upon the employee's period of military service:

1. Less than 91 days of military service - (i) in a position that the employee would have attained if employment had not been interrupted by military service; or (ii) if found not qualified for such position after reasonable efforts by the City, in the position in which the employee had been employed prior to military service.

2. More than 90 days and less than 5 years of military service - (i) in a position that the employee would have attained if employment had not been interrupted by military service or a position of like seniority, status and pay, the duties of which the employee is qualified to perform; or (ii) if proved not qualified after reasonable efforts by the City, in the position the employee left, or a position of like seniority, status and pay, the duties of which the employee is qualified to perform.

3. Employee with a service-connected disability - if after reasonable accommodation efforts by the employer, an employee with a service-connected disability is not qualified for employment in the position he or she would have attained or in the position that he or she left, the employee will be employed in (i) any other position of similar seniority, status and pay for which the employee is qualified or could become qualified with reasonable efforts by the City; or (ii) if no such position exists, in the nearest approximation consistent with the circumstances of the employee's situation.

Benefits upon Re-Employment

Employees re-employed following military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have attained, with reasonable certainty, had the individual remained continuously employed. An employee's time spent on active military duty will be counted toward their eligibility for FMLA leave once they return to their job in the City. Additionally, upon re-employment, a covered employee will not be discharged except for cause for up to one year following re-employment.

Exceptions to Re-Employment

In addition to the employee's failure to apply for re-employment in a timely manner, an employee is not entitled to reinstatement as described above if any of the following conditions exist:

1. The City's circumstances have so changed as to make re-employment impossible or unreasonable;

2. Re-employment would pose an undue hardship upon the City of Round Rock;

3. The employee's employment prior to the military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period; or

4. The employee did not receive an honorable discharge from military service.

Documentation

HRD, upon the employee's application for re-employment, will request that the employee provide the City with military discharge documentation to establish the timeliness of the application for re-employment, the duration of the military service, and the honorable discharge from the military service.

SECTION 17: ADDITIONAL LEAVE

Policy

The City's policy is to provide paid leave outside of accrued leave in certain circumstances.

Jury Duty

Employees are entitled to leave with pay for jury duty and for serving as a subpoenaed witness in an official proceeding.

When an employee has completed jury duty, he or she must report to the City for duty for the remainder of the workday. If the employee will be absent from work for more than one workday on jury duty, he or she must notify the appropriate supervisor daily. Documentation verifying your participation on a jury or as a witness must be attached to the timesheet.

Voting

Employees will be granted up to two (2) hours of administrative leave to vote in national, state and/or local elections.

Personal Leave

Full-time exempt employees will be granted forty (40) hours of personal leave in January each calendar year for their use. These hours are to be used by December 31 or they will be zeroed out. Hours may not be used until they have accrued and are visible in ESS. Supervisor approval is required prior to using this leave.

Personal Leave will not be paid out upon leaving the City.

Quarantine Leave For Police Officers and Firefighters

Police Officers and Firefighters will be granted administrative leave when ordered by their supervisor or the health authority that they should quarantine or isolate due to a possible or known exposure to a communicable disease while on duty. Police Officers and firefighters will be reimbursed, if applicable, for cost related to quarantine. (Legal reference: H.B. No. 2073; Chapter 180, Local Government Code Section 180.008).

SECTION 18: LEAVE OF ABSENCE

Policy

A leave of absence is an approved absence from duty in a non-paid status for not more than six (6) months. Granting a leave of absence is at the discretion of the City Manager. Such leave is not authorized unless all applicable accrued paid leave has been exhausted and there is a reasonable expectation that the employee will return to employment with the City at the end of the approved period.

Approval of the leave must be documented and placed in the employee's personnel file.

An extension may be granted by the City Manager. A careful review of the request must be conducted prior to authorizing any extension. The reason(s) for granting the extension must be documented in writing in the employee's personnel file.

Employees on leave of absence without pay receive no compensation and accrue no benefits. However, previously accrued leave balances, benefits, and seniority are retained during leaves of absence unless otherwise prohibited by the terms of the benefit programs. Medical insurance can be continued if the employee pays the premiums (including the City's portion) in full in a timely manner. The City's insurer may limit the length of time that the medical benefits may be continued.

Revocation of Leave of Absence

A leave of absence without pay may be revoked upon receipt of evidence submitted that the cause for granting the leave was misrepresented, or has ceased to exist, or due to a legitimate business need.

Documentation

A summary of the basis for the decision to grant or deny an unpaid leave of absence and the terms of the leave will be prepared by the City Manager or his or her designee and placed in the employee's personnel file.

Return to Work

Upon returning to work following a leave of absence, an employee may receive an adjusted retirement eligibility date, which reflects the period of time that the employee used for leave of absence.

At the conclusion of a leave of absence, every effort will be made to reinstate the employee to the same, or a comparable position.

SECTION 19: TUITION ASSISTANCE PROGRAM

Policy

The Tuition Assistance Program in accordance with the Economic Growth and Tax Relief Reconciliation Act of 2001, amending Section 127 of the Internal Revenue Code, is intended to provide financial assistance to employees who are seeking education and/or certification for career and/or professional development and who are taking for-credit courses or certifications through an academic institution. Courses taken through this program are required to be career or job-related. Employees must submit a current degree plan to HRD to determine if a certification and/or degree is covered under the Tuition Assistance Program.

The Tuition Assistance Program is not intended to provide assistance for staff development training, job required certifications, or continuing professional education. While these are important functions that may support career development, these training activities are viewed as the responsibility of the employing department, the individual or both.

HRD administers the program for all City employees. The City will pay no more than $5,000 only for tuition and required non-refundable fees for approved course(s) per fiscal year for regular full-time employees. The City will pay no more than $2,500 only for tuition and required non-refundable fees for approved course(s) per fiscal year for regular part-time employees working at least twenty (20) hours. Funds must first be approved by the City Council and will then be distributed on a first-come, first-serve basis.

Application

Applications must be returned to HRD for processing and approval **prior** to the start date of the course.

Employee Eligibility

Full-time, regular employees and part-time regular employees working at least twenty (20) hours who have successfully completed their probationary period of six (6) months with the City prior to the beginning of the semester for which they are enrolling are eligible for tuition assistance. Employees will not be able to participate if they:

- Are on disciplinary probation or suspension at the time of application or prior to the beginning of the semester for which they are enrolling; and/or

- Owe the City money for failed and/or dropped classes from any previous semester(s). Employees will be ineligible until all money owed to the City has been paid in full. This only applies to employees enrolled in the third-party billing with Austin Community College (ACC) or Texas State University (TXST).

Terms and Conditions

The following terms and conditions apply to the City's Tuition Assistance Program:

Employees who receive the tuition assistance payment prior to completion of the course or certification and who do not earn at least a grade of "C" for undergraduate courses and at least a "B" for graduate courses (or "Pass" if taken as Pass/Fail) will be required to reimburse the city for all Tuition Assistance payments received. This amount will be deducted from the employee's paycheck unless other arrangements are made.

SECTION 20: LONGEVITY PAY

Eligibility

The City may at the discretion of the City Council provide longevity pay to most or all City employees at the end-of-year as a lump-sum payment. Rewards of this nature may be given if a pool of funds for this purpose has been set aside in the budget established by the City Council.

The amount of any longevity pay awarded to employees is established at the discretion of the City Manager.

An employee must be on the City payroll and completed one year of service on the date established as the cutoff date in order to receive longevity pay. If longevity pay is granted, it will be paid by the end of each calendar year.

Police & Fire Longevity

In accordance with state statutes, the City pays each City police officer and firefighter longevity pay in the amount of $4.00 per month for each full year of service in the department, not to exceed 25 years of service. (Legal reference: V.T.C.A. Local Government Code, Section 141.032).

Upon termination, police officers and firefighters will receive a pro-rated longevity payment based on the number of months employed in the calendar year.

SECTION 21: PAID PARENTAL LEAVE (PPL)

Policy

The City of Round Rock supports employees in balancing work responsibilities with family obligations during significant life events. Paid Parental Leave (PPL) provides eligible employees paid time away from work to care for and bond with a newborn child or a newly placed child through adoption, foster care, or other legal placement.

Eligibility

To be eligible for PPL, an employee must:

1. Have been employed with the City for at least six (6) consecutive months in a regular full-time or regular part-time position prior to the requested start date of their PPL; and
2. Meet one of the following qualifying events:
   - The employee has given birth to a child;
   - The employee is a co-parent of a newborn child;
   - The employee has adopted a child age 17 or younger (excluding adoption of a spouse's child);
   - The employee has received placement of a child through foster care or other legal placement.

PPL is not permitted for:

- Placement of a child pursuant to parental custody court orders;
- Legal assignments such as Guardian ad Litem;
- Surrogate mothers;
- Sperm donors.

Benefits Provisions

Eligible employees may receive, not to exceed, a maximum of ten (10) paid working days of PPL during a rolling 12-month period.

- The leave entitlement will be converted to hours based on the employee's regular scheduled work hours. Examples include but are not limited to:
  - Suppression (Fire Department): 120 hours
  - Administration (Fire Department): 80 hours
  - Patrol (Police Department): 120 hours
  - Criminal Investigations (Police Department): 100 hours
- The maximum PPL allowance cannot be exceeded within a rolling 12-month period.
- Each eligible parent employed by the City may receive their full PPL benefit.
- For adoption, the employee may select the qualifying date as either the placement date or court approval date.
- PPL is paid at 100% of regular straight-time pay and not considered productive time (time worked).
- Unused PPL is not paid out upon separation of employment.
- City holidays occurring during PPL will be coded as holiday pay and not counted as PPL.

Request Procedures

Employees must:

1. Submit a written request using the Paid Parental Leave Request Form to HR at least 30 days prior to anticipated leave, or as soon as possible if unforeseeable.
2. Complete required forms and submit supporting documentation.
3. Coordinate the scheduling and use of approved PPL with their supervisor.

Coordination with Other Leave Policies

- PPL runs concurrently with FMLA when applicable.
- Employees not eligible for FMLA may still receive PPL.
- Total combined leave for birth or placement may not exceed 12 weeks when FMLA applies, except for when an employee is on approved short-term disability leave and unable to use their PPL.

- Employees are not required to exhaust other paid leave before using PPL.
- Additional paid leave may be used to extend paid time off beyond PPL.

Administration

HR is responsible for verifying eligibility, processing requests, and maintaining compliance. Supervisors must coordinate with employees and ensure proper timesheet submittal and approval. Misuse of PPL may result in disciplinary action.

Return to Work

Employees are expected to return to work on the approved date at the end of their PPL. Any work restrictions must be communicated to HR in advance.

CHAPTER VI
DISCIPLINARY ACTIONS AND COMPLAINT PROCEDURE

SECTION 1: AT-WILL STATUS

At-Will Status

Since the City of Round Rock is an employment at-will City, every employee is subject to disciplinary measures, up to and including involuntary termination by the City Manager, his or her designee, or the respective Department Director.

It is the intent of the City to establish clear, positive, and proactive guidelines for corrective disciplinary action. The guidelines will help ensure appropriate behavior, prevent violations of policy, assist in counseling, and facilitate personnel actions related to job performance. It is the intent of these guidelines to ensure that all employees receive consistent and equal treatment. Application of these guidelines is discretionary, however, depending on each situation. Employees may be dismissed at any time.

As a public employee, you must maintain a high standard of conduct. This section does not affect the employment at-will status of City employees; it does point out conduct that jeopardizes an employee's employment status.

SECTION 2: DISCIPLINARY ACTION GUIDELINES

Corrective Action

When a Department Director uses performance counseling/disciplinary action guidelines, he/she should determine whether the corrective action(s) are to be geared towards bringing performance up to standard or correcting inappropriate behavior.

Management should give consideration to consistency of application within the City before taking any disciplinary action. Consideration should also be given to the circumstances surrounding the actions or behavior in question.

Any one or any combination of the disciplinary measures outlined in the Discipline Procedure may be applied. Based on the severity of the violation and/or other relevant factors, management may at any time elect to waive one or more levels in the discipline process.

Substandard Performance

An employee who exhibits substandard work performance (failure to perform as opposed to misconduct or negligence) is subject to being counseled, reprimanded, separated, or otherwise disciplined. Recently hired (new) employees, or employees transferred to a new position may be provided coaching and/or training commensurate with their status.

Misconduct

Disciplinary action, including termination, will be taken for employee actions which are unacceptable, unlawful, or against established policy.

Human Resources Review

HRD should be consulted for advice on all types of disciplinary actions administered to employees as outlined in the Discipline Procedure included below. Certain disciplinary actions will be reviewed and approved by the Human Resources Director and Executive Management prior to administering the action.

Once the recommended disciplinary action is approved by the Human Resources Director and Executive Management (as appropriate), the action may be administered to the employee.

Procedure

I. Discipline

Corrective actions for discipline should be consistently applied according to the City of Round Rock Policies and Procedures Mnaul. It is the responsibility of management to inform an employee when his/her actions violate procedure, City policy, or conflict with the expectations of behavior for the respective department.

A. Basis for Disciplinary Action

Grounds for disciplinary action will include, but not be limited to, the following major categories and violations of the City of Round Rock Policies and Procedures Manual:

- abuse of leave (excessive unscheduled absences)
- unauthorized absence (including tardiness)
- insubordination
- misconduct
- failure to follow safety procedures
- abuse of City equipment

B. Progressive Discipline

All written disciplinary actions must be reviewed and approved in writing by Human Resources (HR) prior to issuance to the employee. Any one of the following progressive disciplinary measures may be applied. Management should give consideration to consistency of application within the City before taking any disciplinary action. Consideration should be given to the circumstances surround the actions or behavior in question.

Based on the severity of the violation and/or other relevant factors, management may at any time elect to waive one or more levels in this progressive discipline process.

1. Counseling

The counseling is an informal discussion between a supervisor and employee about the need to improve minor performance problems or as a reminder of a rule, policy, or procedure.

The supervisor must document the counseling discussion and placed in the department's workstation files.

2. Verbal Reprimand

   The verbal reprimand is a written notice to an employee. It shall identify the infraction in question. It shall also state, in specific terms, the actions necessary for improvement. It shall inform the employee that additional disciplinary action will occur if improvement is not made. If attempts by the supervisor to resolve an issue at this level are not successful, he/she should proceed to the next level which is written reprimand.

   A written record of the verbal reprimand notice must be placed in the department file.

3. Written Reprimand

   The written reprimand is a written notice to an employee. The written reprimand shall state in specific terms the infraction in question. It should communicate what actions the employee must take to improve, and to comply with established policies and procedures. It shall inform the employee that additional disciplinary action will occur if improvement is not made. If attempts by the supervisor to resolve an issue at this level are not successful, the supervisor should proceed to the next level which is disciplinary suspension or probation.

   A written record of the written reprimand notice must be placed in the department file and in the HR personnel file.

4. Suspension

   Suspension is used when less severe disciplinary action is not effective. This action is initiated by a decision of the superintendent or manager, with concurrence of the Assistant Director and/or Department Director. The employee must be informed in writing that the disciplinary suspension will occur. The employee may be suspended for a period of time consistent with provisions set forth in City of Round Rock Policies and Procedures Manual.

   The Department Director and the HR Director must approve all disciplinary suspensions; however, under certain circumstances, a manager may request to send an employee home with or without pay with concurrence from the HR Director (see reasons for immediate dismissal in Item 6 of this document).

   A written record of notice of disciplinary suspension must be placed in the department file and in the HR personnel file.

5. Dismissal/Termination of Employment

   Dismissal will occur when other attempts to resolve a disciplinary issue have been deemed by management not to have been successful. This action will occur after the employee has been informed verbally and in writing regarding deficiencies in performance or inappropriate conduct and has been provided opportunity to improve. This action is initiated by a decision of the superintendent or manager, with concurrence of the Assistant Director and Department Director. The employee must be informed in writing that dismissal will occur.

   Some actions may warrant immediate dismissal and are listed below in Item 6.

   A record of notice of dismissal/termination of employment must be placed in the department file and in the HR personnel file.

6. Immediate Dismissal/Termination of Employment

   Reasons for immediate dismissal/termination may include, but are not limited to, the following:

   a. Use or possession of alcohol or illegal use or possession of inhalants or controlled substances while on duty or in the workplace;

   b. Falsification of official City records;

   c. Theft, willful damage and/or unauthorized use of City, public or private property;

   d. Willful failure to follow established safety guidelines when such failure could result in injury to themselves, a co-worker or other person;

   e. Violation of the City of Round Rock Weapons Policy;

   f. Acts and/or threats of violence, stalking, threatening behavior and/or intimidating or harassing behavior which could occur in the workplace and/or that are work-related or relevant to the employee's job;

   g. Job abandonment (i.e. no call/no show for three consecutive workdays).

   A record of the notice of immediate dismissal/termination of employment must be placed in the department file and in the HR personnel file.

SECTION 3: EMPLOYEE GRIEVANCE PROCEDURE

Policy

The City recognizes that every employee has the right to be treated fairly in matters arising from employment in the City. Therefore, each employee should have the opportunity to be heard fully any time his/her right to fair treatment has been violated. This grievance process is designed to help reduce employee dissatisfaction, increase morale, identify problems in the organization and increase the positive perception employees have of their employment with the City.

Employees are always encouraged to address issues informally at the lowest possible level in order to seek resolution. When an employee believes the issues that have been discussed informally have not been resolved regarding the terms and conditions of his/her employment, he or she may initiate proceedings as specified in this policy in order to resolve those matters.

This grievance procedure is not applicable to matters for which an appeal process is otherwise provided and may not be used in addition to or in replacement of those processes.

Conditions and Limitations

Under no circumstances shall more than one procedure be used to address the same grievance, although use of this or other procedures does not preclude employees from seeking legal remedies as appropriate.

The City retains the right under applicable laws and regulations to direct employees in the performance of their duties; to take the necessary means to achieve the proper ends under emergency situations; and to hire, promote, transfer, and assign employees as well as to suspend, demote, discharge, or take disciplinary action against such employees when necessary. A decision may be made at any step in the grievance procedure that the matter involved is not grievable.

Matters which may be grieved include, but are not limited to:

- Safety issues
- Inequitable distribution of work
- Inequitable/inappropriate treatment

Matters which may not be grieved include, but are not limited to:

- Compensation
- Work methods
- Equipment
- Hours of work
- Services provided
- Staffing levels
- Disciplinary action

The scope of the employee grievance must:

- clearly define the situation in question through a written allegation of the specific wrongful act or situation, the harm done and the facts upon which it is based;
- arise out of an act or failure to act that directly relates to the working conditions of the eligible employee or to the employee's employment relationship; and
- state such relief sought that is within the power of the department to grant.

A formal grievance may be filed only after implementation of the grievable action. However, it must be filed no greater than fourteen (14) calendar days following the grievable action.

Procedure

The grievance procedure consists of three steps, each of which must be utilized in turn before progressing to the next step unless otherwise specified in this policy.

Step One - Immediate supervisor. An employee who believes that elements of his/her working environment are unsatisfactory and can be made more effective should take the following measures:

- Discuss the specific problem with his immediate supervisor. A problem that results from a specific event or action must be presented in writing within five (5) working days. The supervisor's decision regarding the matter shall be rendered in writing to the employee within five (5) working days following the meeting. The supervisor should notify HRD that a grievance has been submitted. The employee has the right to the presence of a representative of his choosing during this meeting.

- If the problem cannot be resolved through the meeting and/or the employee wishes to document the grievance for further action, he may submit a formal written grievance to his intermediate level supervisor. Employees who do not have an intermediate level supervisor may submit their grievance directly to their Department Director.

Step Two - Intermediate level supervisor. Grievances submitted to an intermediate level supervisor shall be in writing. The complaint must:

- Be submitted within five (5) working days following receipt of the immediate supervisor's response;
- Include a copy of the immediate supervisor's decision and justification;
- Specify the employee's grievance and the specific remedy requested;
- Provide a response to the immediate supervisor's decision; and
- Be responded to by the intermediate level supervisor within five (5) working days of receipt.

Step Three - Department Director. If the matter is not satisfactorily resolved in step two, the problem may be presented in writing to the Department Director,

together with a copy of all preceding responses, within five (5) working days following the response of the employee's intermediate supervisor. The Department Director shall meet with the affected employee and a representative of his choosing; if so desired. A written response will be provided to the employee within seven (7) working days after receipt of the appeal from the employee. The decision of the Department Director is final.

NOTE: If the grievance is against the Department Director, then the designated Assistant City Manager will handle the appeal. The Assistant City Manager's decision is final.

Written Responses to Grievances

Written responses to grievances shall include the following:

- notation of the time, date and person who received the grievance;
- analysis of the facts or allegation in the grievance;
- affirmation or denial of the allegations; and
- identification of the remedies or adjustments, if any, to be made.

Grievance Process Coordination

The Department Director should coordinate with HRD on the department's grievance process as established within these guidelines. The HR Representative will be responsible for ensuring the process is completed in a timely manner. Each department is responsible for grievances filed in their department and should keep them separate from personnel files. A copy of all grievances filed should be forwarded to Human Resources.

Time Limits

If a grievance is not submitted by the affected employee within the specified time limits provided in this policy, the grievance will not be considered. If the department fails to process a grievance within the time limits specified, the employee may initiate action by proceeding to the next step.

Time extensions - All times specified in this procedure are subject to scheduled vacation, sick leave, or other authorized leave necessary for the proper conduct of departmental business. Additionally, involved parties may agree to a mutual extension by providing written notice to the other parties prior to the expiration of the time limit established for that step.

Retaliation

Retaliation against an employee for attempting to resolve a grievance, filing a grievance or for participating in an attempt to resolve a grievance will not be tolerated. Employees shall report such reprisal and/or retaliation to the Department Director and/or HRD. Supervisors will notify HRD and take appropriate corrective action to address any violations of law or policy that are discovered in the course of an attempt to resolve a grievance.

Withdrawal of General Grievance

At any time during the grievance process, the employee may withdraw the grievance by making written notification of the withdrawal available to all parties involved in the grievance process.