

# **City of Ranger**

## **Personnel Manual**

**Amended by City Council  
June 11, 2012**

## INTRODUCTION

The purpose of these rules is to set forth the principles, policies and procedures that are to be followed by city administration in its personnel program. These written rules or statements of policy are generally recognized as being essential to the efficient operation and performance of all municipal services. It is intended that these rules not only provide a working guide for officials, but that they shall acquaint the city's employees with the chief personnel objectives and practices of the City.

These rules are not intended to be inflexible therefore, it is expected that amendments and revisions will be made in the manner provided by the rules whenever they are necessary to assure effective personnel administration. These rules and amendments when approved by the City Commission shall be applicable to all departments of the City Service, and they shall have the force and of the law in all departments of city administration.

Information concerning the City's fringe benefits is not made a part of these rules and policies. Please contact the City Secretary's office for a complete listing of the current fringe benefits offered by the City for their employees. This fringe benefit package will change from time to time as deemed appropriate by the City Commission.

It is the intent of these personnel rules that the City Administrator reserves unto itself the authority for creating and establishing all policy matters, and further the authority to review all administrative interpretations and applications of these policies made by the officers and Division Directors of the organization. In the absence of a City Administrator, the City Manager shall carry out the duties of the City Administrator stated herein. In the absence of a City Administrator or City Manager, the Mayor shall carry out the duties of the City Administrator stated herein. Division Directors may establish departmental policies to effectively carry out the functions of their particular department but be it understood that in matters of conflict regarding policy matters the following policy as established by the City Administrator will govern over any statements or written policies of a Division Director. Such reviews to be held when appeals from such administrative decisions are made in accordance with procedures as are provided herein.

**All employees are subject to the employment at-will doctrine and are subject to disciplinary action or discharge for any reason. These personnel policies are a general guide and provisions herein do not constitute an employment agreement (contract) or a guarantee for continued employment. An employee may quit or the City may terminate his employment at any time for any reason or for no reason. No agreement or promise regarding an individual's employment is binding on the employer unless it is in writing and signed by both the employee and a city official as authorized by the City Commission to sign such agreement.**

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## **SECTION 100 - DEFINITIONS**

**Section 101** - These are the definitions of terms as used in these rules, unless the context clearly requires otherwise. When statements in these rules refer to the male gender it also applies to the female gender.

**Section 102** - Appointment: the designation of a person by the City Administrator to become an employee in a position.

**Section 103** - Certify: the act of a Division Director in supplying the City Administrator with a name of an applicant who is eligible for appointment to the position in which certification is requested.

**Section 104** - City Administrator: the chief executive officer of the City of Ranger.

**Section 105** - Class: a position or group of positions that involves similar duties and responsibilities and requires similar qualifications and which is properly designated by one title indicative of the nature of the work.

**Section 106** - Demotion: the transfer of an employee from a position in one class to a position in another class for which the maximum rate of pay is lower, or a reduction in pay without such transfer unless such reduction is a part of a general plan to reduce salaries for that class of employment.

**Section 107** - Department: a major functional unit of the City Government.

**Section 108** - Division Director: a person appointed by the City Administrator who is responsible for the administration of one or more departments.

**Section 109** - Employee: any person working in the service of the City of Ranger, other than those on retainer or on contract or an elected official.

**Section 110** - Exempt Employees: an employee who is not entitled to monetary compensation for hours worked in excess of forty hours in a seven day work week.

**Section 111** - Family Medical Leave: time used in accordance to the Family and Medical Leave Act of 1993 (FMLA).

**Section 112** - Fiscal Year: the year beginning May 1 and ending April 30.

**Section 113** - Funeral Leave: time lost as the result of the death of a member of an employee's immediate family.

**Section 114 - Kinsman:** any relative related to any employee as follows: father, father-in-law, stepfather, mother, mother-in-law, stepmother, brother, brother-in-law, sister, sister-in-law, wife, husband, son, son-in-law, stepson, daughter, daughter-in-law, stepdaughter, grandfather, grandmother, grandson, granddaughter, aunt, uncle, niece, or nephew.

**Section 115 - Layoff:** separation from service because of shortage of funds or materials, abolishment of position or other reasons beyond the control of an employee, not reflecting discredit on said employee.

**Section 116 - Mailing address:** an address where the employee receives mail.

**Section 117 - Non-Exempt Employee:** an employee who is eligible to be paid at time and one-half times the regular rate when he works in excess of the maximum hours in a pay period.

**Section 118 - Part-time Employee:** an employee hired for a period of less than 1000 hours per year and is not eligible for fringe benefits.

**Section 119 - Personnel Rules Manual:** the Personnel Rules of the City of Ranger.

**Section 120 - Physician Licensed:** a doctor licensed by the Texas Board of Medical Examiners.

**Section 121 - Policy:** to display or make known any governing principle, plan or course of action.

**Section 122 - Position:** a group of current duties and responsibilities assigned or delegated by competent authority, requiring the services of an employee.

**Section 123 - Promotion:** the assignment of an employee from a position in one classification to a position in another classification having a higher maximum salary rate. Promotion shall always mean an increase in responsibilities.

**Section 124 - Reclassification:** the assignment of an employee from a position in one classification to a position in another classification which allows the employee to receive a higher or lower maximum salary than he would have received at the former classification.

**Section 125 - Regular Full-time Employee:** an employee who has satisfactorily fulfilled the trial service requirements and is eligible for fringe benefits.

**Section 126 - Regulation:** to rule, direct, regulate, control or govern according to a rule, principle or system.

**Section 127 - Residence:** the “domicile” of the employee.

**Section 128 - Rule:** a fixed principle that determines conduct, habit or custom.

**Section 129 - Seasonal Employee:** an employee who is hired for a special work or project of a temporary nature that does not justify the creation of a regular full-time position and is not eligible for fringe benefits.

**Section 130 - Supervisor:** any employee who directs the work of others and is responsible to a Division Director.

**Section 131 - Trial Service Employee:** an employee who has not completed his trial period.

**Section 132 - Trial Period:** the first six months of employment during which the supervisor observes the new employee’s work habits and job knowledge to determine his suitability to the job.

**Section 133 - Vacancy:** a position, duly created and not abolished, which is not occupied and for the filling.

## **SECTION 200 – PERSONAL RULES, POLICIES AND PROCEDURES**

**Section 201 -** The personnel policies, rules and procedures do not contain any guarantees. All policies and procedures are subject to change and interpretation by the City Administrator. The personnel rules, policies and procedures delineate the manner in which personnel transactions shall be administered throughout the City. Those rules, policies and procedures that address supervisor-subordinate issues may be viewed as parameters within which supervisory personnel may exercise reasonable discretion in dealing with specific incidences or problems.

**Section 202 -** Departments may develop policies and procedures that are consistent with these procedures in order to meet departmental needs. Division Directors desiring to implement an exception to any rule or regulation contained within the personnel rules must request, in writing, approval of the City Administrator.

**Section 203 -** These personnel rules, policies, or procedures do not constitute any contract for employment or continued employment. The sole remedy for an employee alleging a breach or other grievance arising under the substantive or procedural aspects of this policy manual shall be provided herein.

**Section 204 -** A master copy of the Personnel Rules of the City of Ranger shall be maintained by the City Secretary and shall be the current and official copy.

**Section 205 - Authority for Creation or Elimination of Positions:** with exception of positions established by Charter provisions, the City Commission creates all positions or offices in the municipal organization. The rates of pay are set by the budget, recommended by the City Administrator approved by the City Commission. The City Commission may delete positions through the budget process.

**Section 206 - Invalid Provisions:** the provisions of these rules are declared to be severally, and if any rules, section, sentences, clause, phrase, or work of these rules shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining rules, but they shall remain in effect, it being the legislative intent that these rules shall stand, notwithstanding the validity of any part.

**Section 207 - Amendments:** any changes to these rules may be proposed by the City Administrator, but no material change shall be adopted until approved by the City Commission.

### **SECTION 300 - MERIT SYSTEM AND EMPLOYMENT RULES**

**Section 301 -** Consistent with the Ranger City Charter and all applicable federal and state laws, the City of Ranger has adopted a merit system employment policies and procedures which apply to all employees appointed by the City Administrator. The merit system shall provide for the recruitment, selection, and promotion to all position vacancies on the basis of job related ability, knowledge, and skills. Advancement in the City shall be based on demonstrated ability and quality of performance.

**Section 302 -** All persons applying for employment and all employees shall receive fair, equitable treatment in all aspects of personnel management without regard to race, color, religion, national origin, gender, age, disability or political affiliation.

**Section 303 -** Employees shall be retained on the basis of their job performance. Inadequate job performance shall be brought to the attention of the employee with notice of the need to correct the deficiency. If the employee fails to improve performance after appropriate notice, the employee may be terminated.

**Section 304 -** Employees shall be prohibited from using their official authority or influence for the purpose of interfering with or affecting the result of a nomination for public office or an election. Employees shall be protected from coercion for political purposes.

**Section 305 - Employment At-Will Doctrine:** All employees are subject to the employment at-will doctrine and are subject to disciplinary action or discharge for any reason. These personnel policies are a general guide and provisions herein do not constitute an employment agreement (contract) or a guarantee for continued employment. An employee may quit or the City may terminate his employment at any time for any reason or for no reason. No agreement or promise regarding an individual's employment is binding on the employer unless it is in writing and signed by both the employee and a city official as authorized by the City Commission to sign such agreement.

**Section 306 - Nepotism:** No person as defined as kinsmen to the Mayor, City Commissioner or City Administrator shall be appointed to any office, position, clerkship or service of the City of Ranger. Employees related by blood or marriage as defined as kinsmen (Section 114) shall not be employed within the same functional work unit and common location where potential conflicts of interest may arise as determined by the City Administrator; employees related by blood or marriage as defined as kinsmen shall not be supervised, either directly or indirectly, by any person related to them as kinsmen.

**Section 307 - Residence Requirements:** The residence is the true, fixed and permanent home of the employee or the applicant for employment, to which, whenever he is absent, he has the intention of returning. Residence means the same as domicile, and a person can have only one residence. The "residence" of single employees or applicant is where he usually sleeps; if married that is where his spouse resides, or if he is permanently separated from his spouse, his residence is where he usually sleeps.

All employees are required to provide the City Secretary and Division Director with any change of address as soon as possible after the change occurs. Falsification of residence address or failure to report change of address within thirty calendar days of such a change will be subject to disciplinary action up to and including dismissal.

No employee residing outside the city limits shall be permitted to drive a city vehicle to and from his place of residence except upon written authorization of the City Administrator.

**Section 308 - Non-Discrimination:** No discrimination shall be exercised, threatened, or promised against or in favor of any employee, applicant, or competitor because of his political beliefs or creeds, race, color, national origin, gender, age, or disability unless it is shown to be a bona fide occupational requirement.

**Section 309 - No Political Recommendations:** No recommendations for any applicant of competitor involving the disclosure of his political opinions or affiliations shall be received, filed or considered by a Division Director or the Chief Executive.

**Section 310 - Appointments:** The City Manager appoints all employees with the exception of those offices that are, by charter provisions, otherwise appointed.



**Section 311 - Debt to the City:** Any employee shall not be indebted to the City. Division Directors shall certify that any applicant being recommended for appointment does not owe past due utility bills or any other fee(s) owed to the City of Ranger.

## **SECTION 400 – APPLICATIONS AND EXAMINATIONS**

**Section 401 - Applications:** Applications are received when position announcements are posted at City Hall and/or as advertised in the newspaper. It is the responsibility of the person with an application on file to activate the application when the City posts a position announcement.

**Section 402 - Character of Examinations:** all examinations shall be of such nature that they will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the particular position to which they seek appointment. Such examinations shall, in addition to questions of general knowledge, provide for a thorough inquiry into the applicant's knowledge of and qualifications for the position for which he is applying.

**Section 403 - Content of Examinations:** examination for entrance into the service and for promotion within the service shall consist of one or more of the following parts as considered appropriate for the various classifications of positions:

1. **Written Test:** this part, when required, shall be designed to show the familiarity of the applicants with the knowledge needed in the position to which they seek appointment. Such written tests shall be made available in English or Spanish if requested by the applicant.
2. **Oral Interview:** this part, when required, shall include a personal interview with applicants for positions where ability to deal with others, to meet the public, or personal qualifications are to be determined. An oral examination may also be used in examinations where a written test is unnecessary or impracticable.
3. **Performance Test:** this part, when required, shall include such tests of performance as will determine the ability and skill of applicants to perform the work involved in the position to which they seek employment.
4. **Physical and Health Tests:** this part shall consist of the furnishing of information by the applicant regarding his health and physical condition. It may also consist of an examination of the applicant by the City Physician or a Physician designated by the City Physician, any such examination to be reported on an approved form.
5. **Adaptability and Aptitude Tests:** this part, when required, shall include tests designed to determine general adaptability or to ascertain special traits and aptitudes.
6. **Training and Experience:** this part shall consist of questions on education and experience in the application form and of such supplementary data as may be needed for qualification and proof of statements made in the application, or it may consist of questions on training and experience asked at the time the written tests are given.

**Section 404 - Cause for Rejection:** the following are declared to be cause for rejection of any applicant; that the applicant

1. Is found to lack any of the established requirements of the position for which they apply;
2. Is determined by the City Physician to be physically unable to safely and fully perform the duties of the position for which they apply;
3. Failure to pass the drug screen test;
4. Has been charged or found guilty of any crime reasonably likely to have an adverse job related impact;
5. Has been dismissed from the City for inefficiency, misconduct, or violation of the rules and regulations of the City of Ranger; exceptions may be made for said disqualification when in the opinion of the City Administrator, the formerly dismissed employee is able to effectively and efficiently work in another department and is able to successfully complete a new probationary period;
6. Has made a false statement of any fact or has practiced or attempted to practice any deception or fraud in their application, examination, or in establishing their eligibility for appointment;
7. Whose documented past conduct indicated an unreasonable risk that the applicant will be an unsatisfactory employee; or
8. Any combination of the above.

Any of the foregoing disqualifications may be cause for voiding that person's appointment during or after the trial service period.

**Section 405 - Specification of Job Requirements:** Division Directors shall furnish a specific and comprehensive written statement of the requirements of each classified position in their department. It shall be the responsibility of the City Secretary to finalize and approve job descriptions for all positions within the City from such statements.

**Section 406 - Letters of Recommendation:** no letters of recommendations or endorsements, other than those required by the rules, shall be considered in rating any competitor unless called for in connection with the examination.

**Section 407 - Disclosure of Examination Papers:** the examination papers of a competitor will be exhibited only to the competitor, the scorer, Division Director and City Administrator.

**Section 408 - Deceive or Obstruct:** no person shall deceive or obstruct any person in respect to his right of examination under the provisions of these rules or falsely mark, grade, estimate or report upon the examination or standing of any person examined hereunder or aid in so doing, or furnish to any person except in answer to the inquiries of the City, or any special information for the purpose of either improving or injuring the rating of any such person for appointment of employment. No applicant shall deceive the City for the purpose of improving his chances for appointment.

## **SECTION 500 – DISCIPLINARY ACTIONS AND APPEALS**

**Section 501 - Disciplinary Action:** whenever an employee is subject to disciplinary action; this action may be progressive. Senior management encourages the use of progressive discipline principles by supervisors.

**Section 502 - Oral Reprimands:** all employees are subject to disciplinary oral reprimands for cause by Supervisors. During the oral reprimand the supervisor shall inform the employee of the oral reprimand and that notice of the reprimand shall be made to the Division Director. The City Administrator or Division Director shall keep a written record of the oral reprimand. An appeal of oral reprimands shall be in accordance to the Employee Grievance procedure.

**Section 503 - Written Reprimands:** all employees are subject to disciplinary written reprimands for cause by the City Administrator or Division Directors. The written reprimands shall be placed in the employee's permanent personnel file located in the City Secretary's office. The employee shall acknowledge the written reprimand by affixing his signature to the document. An appeal of a written reprimand is through the Employee Grievance procedure.

**Section 504 - Temporary Suspensions:** all employees are subject to disciplinary suspension for cause without pay for a period not exceeding fifteen working days by order of the City Administrator and, if applicable, upon the recommendation of the Division Director.

### **Section 505 – Terminations, Demotions, Suspensions, Written Reprimands and Oral Reprimands**

**Section 505.1 – Terminations, Demotions and Suspensions** - The City Manager may impose terminations, demotions or suspensions upon employees for violation of any policy, procedure, practice, supervisory order or rule.

**Section 505.2 – Written Reprimands and Oral Reprimands** - The City Manager, the City Administrator or Division Directors may impose written reprimands or oral reprimands upon subordinate employees for violation of any policy, procedure, practice, supervisory order or rule.

**Section 506 - Pre-Termination Procedures:** whenever a disciplinary termination against an employee who has completed the trial service period occurs, the following steps shall be taken:

1. The employee shall be informed in writing that the termination is forth coming and the reasons therefore;
2. The employee shall be given an effective opportunity to respond to the charges set forth in 506.1, above, to the disciplinary authority; and if the termination is upheld then
3. The notice of termination shall be personally delivered to the employee or employee's designee or shall be mailed by certified mail, return receipt requested, to the employee's last known address as noted in the employee's personnel file.

**Section 507 - Appeal:**

1. Notice: written notice of the appeal of termination, demotion or suspension must be given to the City Administrator by the employee or the employee's designee within ten calendar days after such written notice of disciplinary action is given to the employee.
2. If the City Administrator determines that notice of appeal has been timely filed, the City Administrator shall commence a review of the appeal. As soon as practical the City Administrator shall render his decision based upon his independent review of the disciplinary action.
3. Finality: in all appeals of disciplinary action, the decision of the City Administrator shall be final, unless appealed to the City Commission.
4. If the decision of the City Administrator is appealed to the City Commission within ten calendar days after written notice given to the City Secretary by the employee or the employee's designee, the City Commission, at their discretion, may choose to formally review the appeal. All appeals shall be held in executive session unless the employee requests a public hearing. If the City Commission chooses not to formally review the appeal, then the decision of the City Administrator is final.

**Section 508 - Causes for Discipline:** the following are considered representative causes for suspension, demotion or discharge against an employee, if, in the opinion of the disciplinary authority the employee:

1. Has been convicted of a felony charge or misdemeanor involving moral turpitude;
2. Has committed a felony or a misdemeanor involving moral turpitude whether the employee has been indicted or found guilty in a criminal proceeding or not;
3. Has willfully, wantonly, or through culpable negligence, been guilty of brutality or cruelty to a person in custody;
4. Has violated any of the provisions of the City Charter or of this Code of Rules and Regulations;
5. Has been guilty of public conduct such as to bring discredit on the public service;
6. Has violated any of the departmental rule or regulation, or failed to obey any order or direction made or given by an officer superior to or in a supervisory capacity over the employee;
7. Has been insubordinate;
8. Has consumed or been under the influence of alcohol or other intoxicating substance while on duty;

9. Is offensive, obscene, or indecent in conduct or language toward the public or city officials, officers, or employees, which interferes with or might reasonably be expected to interfere with the proper and orderly conduct of the City's business or brings or might reasonably be expected to bring discredit on the public service;
10. Has made a false statement or report in order to obtain leave;
11. Is incompetent or inefficient in the performance of the duties of his position;
12. Has excessive absenteeism or tardiness;
13. Is so inefficient in the performance of the duties of his position that his performance rating, kept in accordance with the rules of the Commission, is unsatisfactory;
14. Steals, or is careless or negligent with property of the City;
15. Bribes or attempts to bribe any officer or employee of the City;
16. Threatens, harasses, assaults or batters any officer or employee of the City;
17. Has been induced, has induced, or has attempted to induce an officer or employee of the City to commit an unlawful act, or to violate any departmental or personnel rule or regulation, or to disobey or fail to obey any order or direction by a superior officer;
18. Has been absent from duty without leave, or has failed to call or notify his supervisor when unable to report for duty unless such failure to call or report is due to no fault of the employee, or has failed to report upon expiration or revocation of leave or when reason for leave has ended;
19. Has been involved in any political activity prohibited by City Charter, Ordinance or published personnel policy;
20. Has knowingly, singly or in cooperation with others, wrongfully instructed another with respect to that person's right of examination;
21. Has knowingly furnished any person being examined any special or secret information for the purpose of improving or injuring that person's performance on the examination;
22. Has made any false report, oral or written, with respect to his employment, or has knowingly falsified any government record, or aided another in doing so;
23. Has falsely maligned any other employee of the City, provided that this clause does not apply where the employee, in good faith, prefers charges against another employee with the view of having the other employee brought up for review before the proper authority of the City;
24. Has threatened to suspend, discharge, or demote, or adversely affect another employee for having filed a grievance, complaint or suggestion, or for having failed to take part in a voluntary program or benefit;
25. Has exhibited unlawful discriminatory or offensive conduct or language while on duty;
26. Has been guilty of neglect of duty;
27. Has misrepresented his physical condition, capacity, or disability;
28. Has acquired an interest in any contract with the City;
29. Has engaged in any activity or refrained from any action to bring discredit upon the City or the public service;
30. Has possession of a firearm concealed or otherwise on city premises or possession of a firearm concealed or otherwise during performance of duties (with the exception of peace officers);
31. Has failed to provide a notice on change of address; or

32. Has failed to pay past-due city utility accounts or any other past-due fees due to the City;

These listed causes are just representative causes. No attempt has been made to list all causes for disciplinary action, nor has an attempt been made to list the causes in order of severity of seriousness. All employees are subject to the employment at-will doctrine and are subject to disciplinary action or discharge for any reason.

**Section 509** - Terminated employees shall not receive accumulated annual leave pay.

**Section 510 - Disability Termination:** any employee who remains mentally or physically disable from fully and safely performing the duties of his position after exhausting all sick leave, annual leave, or disability leave and has not been placed on approved leave of absence by the City Administrator consistent with Section 709, is automatically terminated from his employment. Such terminations shall not be considered disciplinary in nature and shall not be appealable to the City Commission.

**Section 511 - Exigent Suspensions:** an employee who has engaged in misconduct such that his continued presence at work will constitute a danger may be placed on leave without pay immediately and without the requirement that the disciplinary authority first comply with Section 506. Such leave without pay must be approved by the City Administrator and shall not exceed three calendar days without the due process procedures of Section 506 being implemented.

## **SECTION 600 – ADMINISTRATIVE RULES**

**Section 601 - Transfers:** may be made from a position in one Department to a similar position of the same class or lower, in another Department, providing the Division Directors and the employee shall concur, and approved by the City Administrator.

**Section 602 - Reduction in Force:** whenever it becomes necessary within any Department of the City to reduce the work force by specific classification within that Department, lay-offs shall be based on efficiency, job-related knowledge and experience, job performance, character, conduct, seniority and other appropriate consideration within the classification. Preferential consideration shall be given to employees affected by lay-offs in filling open positions.

**Section 603 - Resignation:**

1. **Voluntary:** an employee wishing to resign shall present his resignation to his Division Director and forwarded to the City Administrator for final approval. Any employee wishing to leave the service in good standing and receive his accumulated annual leave pay shall file with his Division Director at least two weeks before leaving, a written resignation stating the date the resignation shall become effective and the reason for leaving the City service. Failure to comply with this procedure will be entered into the personnel file of the employee and shall be considered

grounds of denying his future employment with the City and the employee shall not be paid for his accrued annual leave in accordance to Section 701.5.

2. **Automatic:** employees who are absent for three consecutive working days prior to receiving approval to take leave, or when leave has been denied, or without contacting their immediate supervisor regarding that absence, will be considered by the City to have resigned. The employee shall be given written notice of such by certified mail to his last address as shown in personnel records. An employee that has resigned under this subsection shall not be paid their accrued annual leave as prescribed in Section 701.5.

**Section 604 - Outside Employment:** an employee must obtain the approval in writing from the Division Director before accepting outside employment. The Division Director must keep a record of all employees outside employment; such record shall show the name of the business or individual person that the employee is working for; and it shall show the type of work and the number of hours and hour's assignment worked by the employee working on such outside employment. As a rule, so long as such outside employment does not interfere, in any way, with the value and performance of the employee's duties with the City, there is no objection to the employee having outside employment. As a condition of continued employment the employee and the Division Director must remember that the job with the City must come first.

**Section 605 - Ready, Willing, and Able:** it is the duty of each employee to promptly report for duty ready, willing and able to safely and fully perform the duties of his position. Failure to do so shall be grounds for disciplinary action, including dismissal.

**Section 606 -** Employees shall surrender and return to the Division Director all city owned records and/or property upon separation of service from the City.

**Section 607 -** Employees may not use a city vehicle for personal use unless specifically authorized by the City Administrator.

**Section 608 - Trial Service Period:**

1. **Newly Hired Employees:** the trial service period shall be six calendar months of full-time continuous service for full-time regular employees. Trial service employees may be temporarily suspended or terminated with or without cause during the trial service period. In any instance where an employee's six month trial service period is unsatisfactory, the Division Director and the employee may agree, with the approval of the City Administrator, to an extension for an additional period of up to six months. The trial service employee may be re-evaluated at any time during the six month extension.
2. **Promoted Employees:** promotion within the City shall be based on efficiency, job-related knowledge and experience, job performance, character, conduct, and seniority. Vacancies that are not filled by transfer or reduction in force shall be filled on the basis of merit and other appropriate factors. No promotion from one position to a higher one or to a position paying a higher salary shall become final until after the

person promoted has demonstrated fitness by satisfactorily completing a trial service period as set out above.

**Section 609 - Reports of Division Directors:** Division Directors shall immediately report to the City Secretary any and all changes in the status of their department personnel. Such reports shall include change of address; appointments, whether temporary or regular, regardless of whether by original entrance, reinstatement, or promotion; removals from service, whether by dismissals, lay-offs, suspensions, absences or leaves of absence of any nature, or annual leaves; returns to service, whether reinstatements, returns from absences or leaves of absence or annual leaves; changes in departmental organizations such as creation, abolishment, or combining of offices or positions; and salary changes, whether increases or reductions.

**Section 610 - Certification of Payrolls:** no fiscal officer of the City shall draw, sign, issue or authorize the drawing, signing or issuing of any warrants on the head of the division of treasury or other disbursing officer of the City, to pay any salary or compensation to any person not in the service of the City. After the end of a work period and time sheets have been submitted to the Director of Finance for payment, if an employee leaves the service of the City before the end of the pay period then the Division Director shall immediately notify the Director of Finance of that employee's change of status. Division Directors shall not approve any time sheet that is not in accordance to any personnel policy or procedure.

**Section 611 - Service Connected Injury:** all employees injured on-the-job shall immediately notify their immediate supervisor. A Report of Injury form (P-30) shall be filled out and submitted to the Division Director and then to the Finance Director. If the injury requires medical treatment or results in lost time, a TWCC-1 Form shall be filled out immediately and forwarded to the Finance Director.

Failure of the employee to report any on-the-job injury to his immediate supervisor by the end of his scheduled work period shall be grounds for disciplinary action, including dismissal.

Each time the employee goes to the doctor, for consultation or treatment, a doctor's Medical Report Form (P-10) shall be completed in its entirety and returned to his Division Director who shall forward the report to the Finance Director.



**SECTION 700 – LEAVE OF ABSENCES**

**Section 701.1 - Annual Leave:** All benefits eligible employees with one continuous year of service shall earn annual leave with pay at the following rates, to be earned on the anniversary of date of employment and to be used during that year. Earned annual leave shall not be carried over to the employee’s next year.

<u>Years of Service Completed</u>	<u>Annual Leave</u>
1 year	5 days
2 to 6 years	10 days
7 years	15 days

**Section 701.2 -** For eligible regular employees, one-fifth of their scheduled work week shall be counted as one working day for annual leave purposes. For Firefighters and EMS personnel who are assigned to twenty-four hour shifts, twelve scheduled working hours shall be counted as one working day for annual leave purposes.

**Section 701.3 -** Employees shall schedule annual leave with their supervisor, which must be consistent with departmental staffing needs. In the case of a conflict in leave requested between two or more employees, the employee with the most longevity will be given preference. However, once thirty days have elapsed after an employee has requested leave and received supervisor approval, their leave can not be changed by an employee with more longevity.

**Section 701.4 -** Once an employee begins the approved annual leave, the employee shall remain on annual leave until the approved annual leave period has ended, even though the employee becomes ill or is accidentally injured while on annual leave. If, after annual leave has ended the employee remains ill or is still recovering from injury, accrued sick leave will be granted, within the sick leave policy requirements, and continued until exhausted or the employee returns to work, whichever occurs earlier.

**Section 701.5 -** Upon leaving the service of the City, an employee shall be paid for accrued unused annual leave provided they give proper notice of their resignation.

**Section 702.1 - Holidays:** full time, regular employees shall be paid for the following observed holidays:

1. New Years Day (January 1)
2. Memorial Day (last Monday in May)
3. Independence Day (July 4)
4. Labor Day (first Monday in September)
5. Thanksgiving Day (fourth Thursday in November)
6. The Friday after Thanksgiving
7. Christmas Day (December 25)
8. Other days as designated by the Mayor

**Section 702.2** - For employees working Monday through Friday, and one of the above-named holidays or special holiday, declared by the City Commission or the Mayor, falls on a Saturday, the holiday shall be observed the preceding Friday. If it falls on a Sunday, it shall be observed the following Monday.

**Section 702.3** – Any employee scheduled to work on an observed paid holiday shall receive 8 hours at their regular pay in addition to the hours they work.

**Section 702.4** - Any employee absent without approved leave on a work day immediately preceding or following a holiday or on a holiday shall not be paid for the holiday unless it is worked, in which case the employee shall be paid only for the time worked that day.

**Section 703.1 - Sick Leave:** All full time, regular employees shall earn sick leave with pay at the rate of five working days each year. For the first year of service, the employee will earn 3 days of sick leave after 90 days of employment and 2 more days after 6 months of employment. After the first year of service, the employee will earn 5 days of sick leave on the anniversary of date of employment. Earned sick leave must be used during the year it was accrued and shall not be carried over to the employee's next year. Upon leaving the service of the City, an employee shall not be paid for unused sick leave.

**Section 703.2** - For eligible regular employees, one-fifth of their scheduled work week shall be counted as one working day for sick leave purposes (1/5 of 40 hours = 8 hours). For Firefighters and EMS personnel who are assigned to twenty-four hour shifts, twelve scheduled working hours shall be counted as one working day for sick leave purposes.

**Section 703.3** - Sick leave may be granted only for a bona fide physical or mental illness or injury under the following conditions:

1. Legal quarantine, serious illness, or fitness for duty exam.
2. For hospitalization or medical, dental, psychologist, psychiatrist and ocular appointments of an employee, and employee's spouse, dependent children or dependent parent.
3. The City Administrator may require an employee to provide a physician's release to return to work and/or a physician's statement of medical treatment prior to approval of sick leave. All unauthorized absences shall constitute leave of absence without pay.
4. Accrued sick leave or annual leave may be used, at the employee's election, to supplement worker's compensation income benefits. To calculate the benefits to be paid, the total amount of worker's compensation income benefits paid to an injured employee shall be deducted from the employee's regular net take home pay so that, in no event, shall any injured employee receive a greater income while off work on an injury than the employee would receive while performing regular duties. One day of accrued annual leave or sick leave shall be deducted for each day supplementing any type of worker's compensation income benefit paid for that day.

Employees who are absent from work because of illness or non-service connected injury are responsible for:

1. Reporting their absence to their supervisor one hour before the start of their work day on the day of absence and
2. Shall assure they can be reached either by telephone or in person at their residence, except for hospitalization or doctor visits.

An employee who fails to follow either requirement shall be penalized by having the leave charged to annual leave or leave without pay. The City Administrator may limit the use of sick leave by employees who are failing to accumulate sick leave and are suspected of misrepresenting the need to use sick leave. The misuse or abuse of sick leave benefits shall be grounds for disciplinary action, including dismissal.

**Section 704 - Funeral Leave:** Any full time, regular employee will be granted funeral leave with pay for not more than three consecutive working days in the case of death of a member in his immediate family. For Firefighters assigned to twenty-four hour shifts in fire suppression, twelve scheduled working hours shall be counted as one working day for funeral leave purposes. One of the three consecutive working days must be the day of the funeral. Immediate family in this case shall mean the employee's spouse, son, daughter, father, mother, father-in-law, mother-in-law, brother-in-law, sister-in-law, sister, brother, grandfather, grandmother, grandchildren, step relatives to same degree and any other relative who is an actual member of the employee's household or who has the same relationship to the employee's spouse. All funeral leave requires the advance approval of the City Administrator. The misuse or abuse of funeral leave benefits shall be grounds for disciplinary action, including dismissal.

**Section 705 - Civic Duty Leave:** All employees entitled to vote at National, State, County or Municipal elections may, when necessary, be allowed sufficient time off with pay to exercise this right. Employees may participate in other civic functions with approval of the City Administrator.

**Section 706 - Jury Service:** Employees who are required by due process of law to render jury service shall receive their regular pay during such period, and the time spent in such service shall be reported as working. An employee may retain his remuneration for this service. An employee must report to work upon release from jury service unless the work period remaining is less than one hour.

**Section 707 - Special Leave of Absence With Pay:** attendance of full time, regular employees at conventions, or short training courses, or meetings of like nature, if approved by the Division Director, or jury service or voting in any duly held local, state, or federal election shall be considered leaves of absence with pay.

**Section 708 – Compensatory Leave:** Not Applicable.

**Section 709.1 - Leave of Absence without Pay:** regular employees, for temporary leave of absence without pay, shall follow this procedure in processing all requests. It is the intent of this policy to provide an equitable method for administrative review of all requests for temporary leave of absence without pay based upon the same standards and guidelines. Leave of absences that qualify under the Family Medical Leave Act, (FMLA) will be assessed according to Section 712.

The Division Director may grant any regular employee in the department leave of absence without pay not exceeding a total of seven days in a calendar year.

The Division Director, with approval by the City Administrator, may request a leave of absence beyond the seven day time-period.

**Section 709.2 -** An employee requesting temporary leave of absence without pay due to impairment shall be responsible for submitting a formal written memorandum or letter to the Division Director specifying the following information:

1. The nature of the impairment;
2. The name of the physician or provider administering treatment for the condition and;
3. The period of time requested for leave of absence without pay and the specific date on which the employee expects to be able to return to full duty.

The employee shall be required to attach a signed statement by the physician or provider of the treatment outlining, in reasonable detail, the employee's condition and prognosis for recovery. In addition, the employee must submit a signed release authorizing the physician employed by the City to review all employee medical records relevant to the treatment in question.

**Section 709.3 -** Criteria to be used for evaluating 'Leave of Absence without Pay' requests are:

1. The employee's past and present job performance and record of attendance. Attendance shall take into account whether or not employee absences were previously approved by the Division Director and were based upon valid medical reasons. When such leaves of absence meet the sick leave requirements of these rules, the employee shall be required to use all accrued sick leave followed by all accrued annual leave prior to being placed on leave of absence without pay.
2. The department's ability to temporarily be without the services of the employee. In making this evaluation the Division Director should consider whether or not the employee's absence would create an undue hardship on departmental operations.

**Section 709.4 -** Employees on leave of absence without pay shall be responsible for making arrangements with the Finance Director for the continued personal payment of all health and life insurance premiums and other payroll deductions during the duration of the approved leave of absence and employees shall not be eligible to accrue annual leave or sick leave during the period the employee is on leave of absence without pay.

**Section 709.5** - Any employee on leave of absence without pay for six consecutive months may be terminated.

**Section 709.6** - While on leave of absence without pay resembles FMLA; this leave is intended for use in situations not involving a FMLA qualifying event. If an absence is due to an FMLA qualifying event, then that policy shall provide leave and this policy shall not be cumulative or in lieu of FMLA leave.

**Section 710.1** - Military Leave of Absence: any full time, regular employee, who submits appropriate documentation requiring attendance for a period of training or other active duty as a member of the United States Armed Forces or State military forces, in keeping with §431.005, Texas Government Code, will be given military leave with pay and accrue benefits, as if on the job, for a period or periods not exceeding a total of fifteen working days in any one calendar year. An employee eligible for military leave that is ordered to participate in training or other duty for more than fifteen working days in one calendar year may, at their option, use accrued annual or be placed on leave without pay for time in excess of fifteen working days. A part-time or seasonal employee will be given up to fifteen working days per calendar year authorized leave without pay for this purpose.

**Section 710.2** – Any full time, regular employee who leaves his position for the purpose of entering the armed forces of the United States, or enter service as a member of State military forces, or as a member of any reserved components of the Armed Forces of the United States shall, be restored to employment in the same or equivalent position as held at the time of induction, enlistment, or order to active federal or state military duty, in accordance with §4312, Title 38, United States Code, if the employee:

1. Is physically and mentally qualified to perform the duties of the position;
2. Was discharged, separated or released from military service under honorable or general conditions;
3. The cumulative length of all absences from employment with the City by reason of service in the uniformed service does not exceed five years; and
4. Makes written application for re-employment within ninety days after discharge or release from active military duty and presents evidence of the discharge, separation or release.

**Section 710.3** – Any full time, regular employee who is absent from his position of employment by reason of service in the uniformed services may elect to maintain city health insurance coverage under the terms and conditions specified in §4317, Title 38, United States Code.

**Section 711.1** – Family and Medical Leave Act (FMLA): all eligible employees will be provided up to twelve weeks of job protection for certain family and medical leave in compliance with the Family and Medical Leave Act of 1993. “Eligible” employees are those who have worked for the City of Ranger for a minimum of one year and have worked at least 1,250 hours during the previous twelve months.

**Section 711.2** – FMLA leave may be used for the following reasons:

1. The birth of a child of the employee and in order to care for the child;
2. The placement of a child with the employee for adoption or foster care;
3. To care for the employee’s spouse, child, or parent who has a serious health condition; or
4. A serious health condition that makes the employee unable to perform the functions of the employee’s position.

**Section 711.3** – The twelve month period during which an employee is eligible for twelve work weeks of leave, is measured forward from the date the employee takes the first day of FMLA leave.

**Section 711.4** – An employee on FMLA leave must substitute and exhaust all applicable accrued vacation and sick leave as part of the twelve work weeks of FMLA leave, before beginning leave without pay status.

**Section 711.5** – An employee may take FMLA leave on an intermittent or reduced leave schedule for reasons under Section 711.2 and subsections 3 and 4. Intermittent or reduced leave is not available for leave taken under Section 711.2 and subsections 1 and 2.

**Section 711.6** – An employee intending to take FMLA leave due to child birth or placement, or because of a planned medical treatment, must submit an application for leave at least thirty days before the leave is to begin. If leave is to begin within thirty days, an employee must give notice to his Division Director and to the City Manager as soon as the necessity for the leave arises.

**Section 711.7** – A husband and wife who are eligible for FMLA leave and are both employed by the City, are each entitled to twelve weeks of FMLA in a twelve month period except:

1. For birth of the employee’s son or daughter or to care for the child after birth;
2. For placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement; or
3. To care for the employee’s parent with a serious health condition.

In the circumstances described above the husband and wife are limited to a combined total of 12 weeks of FMLA leave during a 12-month period. For the birth of a child, a maximum of two weeks of sick leave is allowed without a physician statement.

**Section 711.8** – The City Administrator may require, by written request, that FMLA leave be supported by a certification issued by the health care provider of the employee, or the child, spouse, or parent of the employee. A certification must be furnished in a timely manner when requested and must state:

1. The date on which the serious health condition commenced;
2. The probable duration of the condition; and
3. The appropriate medical facts within the knowledge of the health care provider.

**Section 711.9** – The City will provide health benefits to an employee while on FMLA leave at the level and under the conditions benefits would have been provided if the employee had continued in regular employment subject to employee continuing to pay any premium required prior to start of the FMLA leave.

**Section 711.10** – The City may deny FMLA under any of the following circumstances:

1. There is not a qualifying event or the employee has not worked the requisite time; or
2. If an employee fails to give timely advance notice when the need for FMLA leave is foreseeable, FMLA leave may be delayed until thirty days after the date the employee provides notice to the City of the need for FMLA leave; or
3. If an employee fails to provide within fifteen days a requested medical certification to substantiate the need for FMLA leave; or
4. All FMLA leave has been exhausted for that twelve-month period.

**Section 711.11** – If an employee fails to provide a requested fitness-for-duty certification to return to work, the City may delay restoration until the employee submits the certificate. If an employee fraudulently obtains FMLA leave, the City may deny job restoration or maintenance of health benefits in addition to other disciplinary action.

**Section 711.12** – If the employment relationship between the City and the employee terminates, an employee’s rights to continued leave, maintenance of health benefits and job restoration cease under FMLA.

**Section 711.13** – If a conflict should occur between these policies and the Family and Medical Leave Act of 1993, the Act shall prevail.

**Section 712** – Sick Leave Pool. There is hereby established a voluntary City Sick Leave Pool (hereinafter called the “Pool”) for the use by and benefit of the employees of the City. The purpose of the Pool is to allow employees who meet the eligibility criteria to use days donated by themselves and other employees to continue their pay and benefits after they have exhausted their earned vacation, sick leave, compensatory or any other days off allowed by the City. The City Administrator, or his or her designee, shall be the Pool Administrator responsible for the operation of the Pool.

**Section 712.1** – All benefits eligible employees are eligible to participate in the Pool. An employee must have used all other time off before the employee can apply for Pool days. Pool days may not be used when an employee is receiving Workers Compensation benefits, but any waiting period prior to commencement of Workers’ Compensation Insurance benefits can be submitted for consideration by the Pool Administrator. An employee who wants to withdraw sick leave from the Pool because of catastrophic illness or injury must be eligible to accrue vacation and sick leave benefits at the time application is made (e.g. employees on leave without pay are not eligible to accrue sick leave and are not eligible for the sick leave pool) and must have exhausted all of his or her accrued leave before hours from the Pool may be allocated.

**Section 712.2** – A catastrophic illness or injury is defined as a severe condition or combination of conditions affecting the mental or physical health of the employee or the employee’s immediate family that requires the services of a licensed health practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and any other time-off options.

Immediate family is defined as any person living in the same household who is related by kinship, adoption (including foster children certified by the Texas Department of Protective Services), or marriage. Minor children of the employee, whether or not living in the same household, are also considered immediate family. An employee’s use of sick leave for family members not residing in that employee’s household is strictly limited to the time necessary to provide care and assistance to a spouse, child, or parent of the employee who needs that care and assistance as a direct result of a documented medical condition.

**Section 712.3** –An employee must have a sick leave balance of at least 2 days before the employee can contribute a day or days to the Pool. Employees may donate any kind of day or days (including vacation days) to the Pool. If an employee leaves employ of the City, any unused sick leave days not paid to the employee will go to the Pool. Pool days carry over from fiscal year to fiscal year and do not expire. Employees shall be asked to donate hours into the Pool from time to time. Employees leaving employ of the City shall be encouraged to donate unused sick leave to the Pool. If there is a demand for more hours than are in the Pool, the Pool Administrator may ask for more donated hours to cover demand. All donations to the Pool must be in writing.

**Section 712.4** – An employee must apply for hours in the Pool in writing. Applications must include a statement in writing from a licensed health practitioner which explains the need for the employee to use Pool hours and how much time the licensed health practitioner expects the employee will need.

**Section 712.5** – No employee may use more than 80 hours in any twelve-month period.

**Section 712.6** – Applications to use sick leave pool hours will be processed on a first-come, first-served basis. A determination must be made within 10 working days after receipt of a fully-documented request. A request may be approved, denied, or partially approved. The Pool Administrator may approve fewer hours than were requested. The Pool Administrator must send a notification letter to the employee and the employee’s supervisor advising him or her of the Pool Administrator’s decision. If the request is denied or fewer hours are approved than were requested, the notification letter must state the reasons for same. The decision of the Pool Administrator is final. The Pool Administrator may request additional information from the employee, and may (with the employee’s written consent) refer the employee’s request and statement from the licensed health practitioner to a third-party medical authority for review, before making a decision. Failure to provide requested information, or to allow third-party medical review, is grounds for denial of the request.



The Pool Administrator may only approve as many hours as there are in the Sick Pool. If the demand for Pool hours is greater than the number of hours in the Pool, the Pool Administrator may request that employees donate additional hours to meet demand.

## **SECTION 800 – CALCULATION OF HOURLY RATE, REGULAR TIME, OVERTIME, PAY PERIOD AND WORK SCHEDULE**

**Section 801 – Calculation of Hourly Rate:** all full time, regular city employees are appointed at a monthly salary with an hourly rate being calculated by utilizing the following formula:

1. The base monthly salary is multiplied by twelve months to annualize the monthly salary; then
2. For full time, regular city employees, with the exception of Firefighters assigned to twenty-four hour shifts in fire suppression, their annual salary is divided by 2,080 hours to produce an hourly rate. For Firefighters assigned to twenty-four hour shifts in fire suppression, their annual salary is divided by 2,756 hours to produce an hourly rate.

A base monthly salary does not include certification pay, apparel allowance or any other type of allowance or incentive pay.

**Section 802 – Regular Hours of Work:** the normal work week for full time, regular city employees, with the exception of Firefighters assigned to twenty-four hour shifts in fire suppression, shall be forty hours per week. For Firefighters assigned to twenty-four hour shifts in fire suppression, the regular work period shall be defined as one hundred six hours per work period with a twelve hour day (two twelve hour days per twenty-four shift) defining the “work day”. All employees in the City service may be required to work more than the hours stipulated when necessity demands additional service. When the employee is called to work early, the employee will be paid straight time unless time worked exceeds the established workweek or period as defined in this section.

**Section 803 – Overtime:** overtime for non-exempt employees (excluding Firefighters assigned to twenty-four hour shifts in fire suppression) are those hours authorized in advance and worked beyond the designated forty hour work week unless otherwise specified. With the exception of Firefighters assigned to twenty-four hour shifts in fire suppression, which are covered under the Fair Labor Standards Act section 7(k) provisions, all other non-exempt employees shall be eligible for overtime payment at one and one-half times the regular rate for hours worked in excess of forty hours a week.

**Section 804 – Compensatory Time:** Not Applicable.

**Section 805 – Overtime Provision For Firefighters:** Firefighters regularly assigned to one hundred six hours per work period in fire suppression activity shall be paid for overtime at the rate of one and one-half times the regular hourly rate, when such overtime hours worked exceed the normal one hundred six hours per work period. Firefighters who are regularly assigned to a forty hour work week shall be paid for overtime at the rate of one and one-half times the regular hourly, when such overtime hours worked exceeds the normal forty hour work week.

For purposes of call back, when a Firefighter is ordered to return to work while off duty, call back pay shall be paid at a minimum of two hours for time worked at the rate of one and one-half times the regular hourly rate, provided the call back requires less than two hours to complete. Additional call back pay hours shall be paid at one and one-half times the regular hourly rate. Call back pay eligibility shall not be affected by time not worked during the scheduled work week (annual leave, sick leave, holidays, etc.) as would normally be the case in calculating other overtime eligibility.

Overtime resulting from required training shall be paid at the rate of one and one-half times the regular hourly rate. Time not worked during the scheduled work-week (annual leave, sick leave, holidays, etc.) shall not be deducted from the scheduled workweek in determining training related overtime eligibility.

**Section 806 – Travel Time:** a non-exempt employee who is assigned a city vehicle on a twenty-four hour basis and who drives that vehicle to and from home each day is not considered to be working until the employee reaches the job site and reports for work. An exception to this rule could occur if, while en route to work or home, the employee is dispatched to respond to a call. In this instance the employee shall be considered to be working after receiving the call. Travel outside the City by non-exempt employees for training purposes or for special duty assignment is considered work time if it extends into the employee's regular hours of work regardless of whether or not the travel occurs on normal days off.

**Section 807 – Training Time:** required training, which is directly related to the non-exempt employee's current job, is considered work time. Training for another job or which provides new or additional skills not required for current position is not considered work time. Meal times and social meetings occurring during those same regular hours of work are not considered work time. In all instances, where training occurs, proper documentation of the employee's time will be required (program, agendas, etc.).

**Section 808.1 – Waiting Time; Off Duty; and On-Call Duty Time:** Instances where a non-exempt employee is relieved of duty and is asked by the supervisor to wait to be available for an unspecified period of time for a further assignment and the employee is not able to use this time effectively for his own purposes, is considered work time. This does not include employees who are under subpoena to court and may have to be available to that court for testimony. If, however, the employee is asked to carry a pager, cell phone or radio in order to be reached when needed and the employee can use this time for his own purposes, it is not considered work time.

**Section 808.2** – Utility workers scheduled for On-Call duty will be paid for three hours at one and one-half times the regular hourly rate. Additional on-call pay hours shall be paid at one and one-half times the regular hourly rate. On-Call pay eligibility shall not be affected by time not worked during the scheduled work week (annual leave, sick leave, holidays, etc.) as would normally be the case in calculating other overtime eligibility.

**Section 809** – Call Back Overtime Pay: any non-exempt employee who has left the premises but is called out later for an assignment, will be given a minimum of two hours pay provided the call out requires less than two hours to complete. Additional call back pay hours shall be paid at one and one-half times the regular hourly rate. Call back pay eligibility shall not be affected by time not worked during the scheduled work week (annual leave, sick leave, holidays, etc.) as would normally be the case in calculating other overtime eligibility.

**Section 810** – Pay Period: salaries and wages shall be paid on a biweekly basis. For all employees, the weekly work periods shall end on Wednesday at midnight. Employees working a shift that spans Wednesday at midnight shall enter their hours worked for that shift as hours worked on Wednesday. Before the beginning of each calendar year the Director of Finance shall issue an annual schedule that sets which weekly work periods are to be paid in each pay period and when the payroll check will be issued. At the end of each work period all certified time sheets shall be expedited to the Finance Director's office by 9:00 a.m. on the first administrative work day following the end of each pay period. Timesheets not received by the cutoff will be processed in the following payroll cycle. Paychecks shall be distributed by Friday following the end of each pay period for those employees with timesheets presented prior to the cutoff time.

**Section 811** – Work Schedule: a Division Director with approval of the City Administrator determines the appropriate work schedules. Firefighters assigned to fire suppression activity work twenty-four hours on duty with forty-eight hours off duty.

**Section 812** – Work Period: all employees shall be assigned to one of the following pay periods:

1. Firefighters assigned to fire suppression activity shall work a fourteen day work period. except for the last pay period of the calendar year when a catch up option is available to the Fire Chief for use at his sole discretion as long as it is less than the fourteen day work period and in conformance to the Fair Labor Standards Act; or
2. All other employees shall work a seven day work period.

**Section 813** – Rest Period: if authorized by the supervisor, employees may take two 15-minute rest periods during each workday. Such rest periods shall be considered a privilege and not a right, and shall never interfere with proper performance of the work responsibilities or work schedule of each department.

**Section 814 – Final Pay Check:** the final pay check for a full-time employee leaving the service of the City will include payment for any unpaid accrued leave and overtime that is due to the employee. This payroll check shall only be issued after all time sheets have been turned in to Finance Director and after the last day of actual work performed in the service of the City.

## **SECTION 900 – SUBSTANCE ABUSE POLICY**

**Section 901** - The City of Ranger does not tolerate on-premises or on-duty use, possession, or distribution of alcohol or illegal drugs. All employees are required to report to work free of prescription drugs (unless under the direction of a physician), controlled substances, and/or alcohol. Failure to meet this job requirement may constitute grounds for termination.

**Section 902** – A confirmed positive finding resulting from a drug test administered under this policy shall constitute grounds for immediate termination.

**Section 903** - An employee with a confirmed positive finding resulting from an alcohol test of .04 or greater shall be subject to immediate termination. An employee who tests .02 or higher but less than .04 will be suspended for the remainder of the work shift and referred to a substance abuse professional for evaluation. The employee will not return to work until after the evaluation is complete. If the substance abuse professional recommends a rehabilitation program, the employee shall be required to successfully complete the prescribed rehabilitation program. Following completion, the employee will be returned to work under the condition of being subject to drug and alcohol tests. If the employee tests positive for drugs or .02 or higher for alcohol anytime during this two-year period, he shall be immediately terminated.

**Section 904** – An employee, terminated for violating this policy, may be eligible to reapply with the City six months following clearance by a substance abuse professional and agreeing, in writing, to random drug and/or alcohol testing for two years. If the employee tests positive for drugs or .02 or higher for alcohol anytime during this two-year period, he shall be immediately terminated.

**Section 905** – The primary purpose for drug or alcohol testing is to ensure that public safety and the personal safety of city workers is not endangered as a result of drug or alcohol use.

**Section 906** – As a condition of employment, appointment, transfer and/or promotion, employees must submit to drug and alcohol tests and receive favorable results prior to beginning work in any position and, if required, undergo a physical examination, at the City's expense.

**Section 907** – All City of Ranger, Texas, employees are required to be drug and alcohol free during working and on-call hours and are required to report to their supervisor any medications prescribed or taken which might impair their ability to safely operate equipment or vehicles or impair their ability to work safely.

**Section 908** – Employees may be required to be drug and/or alcohol tested if the City has a reasonable suspicion that the employee is:

1. Using illegal drugs or controlled substances or
2. Using prescription drugs without or beyond the directions of a physician or
3. Under the influence of alcohol during working hours or on call hours, (under the influence means having a level of alcohol concentration of .02 or higher).

“Reasonable suspicion” shall mean one or more of the following exists as determined by the Division Director or Supervisor in charge:

1. Having more evidence supporting suspicion than refuting it; and/or
2. An apparent state of facts and/or circumstances which would lead a reasonable person to suspect an individual is using or recently used drugs, narcotics, or alcohol; and/or
3. A reasonable ground for believing in the existence of facts or circumstances warranting an order to submit to a drug and/or alcohol test.

**Section 909** – Any employee involved in an accident while on duty may be required to submit to drug and/or alcohol tests.

**Section 910** – Any employee who is criminally charged or convicted of selling drugs, illegal drug or alcohol consumption, or illegal possession of drugs may be terminated. An employee charged with violating any substance statute must report the charge to his Division Director within five days.

**Section 911** – So long as current disciplinary action has not been initiated or pending, any employee may identify themselves as an abuser of drugs and/or alcohol and, voluntarily, and at the employee’s expense, through a recognized treatment program approved by the City, seek counseling and rehabilitation. In these instances, the employee will be permitted the use of available leave. Employees undergoing treatment will be required to authorize disclosure of their progress in treatment to the City Secretary. Employees who fail to actively participate in and comply with the rules of the rehabilitation program will be subject to immediate revocation of their leave and termination from employment. Employees who complete the prescribed rehabilitation program may conditionally return to their previous position provided they maintain the preventive course of conduct prescribed by their substance abuse professional and/or physician. In addition, employees reinstated under this policy must agree, in writing, to submit to random drug and/or alcohol testing for a period of two years.

Employees who do not follow the program prescribed by their substance abuse professional and who fail to remain drug and/or alcohol free and engage in drug and/or alcohol use will be subject to immediate termination. Employees will have only one

opportunity to go through the rehabilitation program provided by the City's Employee Assistance Program.

This section is not intended to provide a means for an employee to avoid any required alcohol and/or drug testing. Once the process of establishing reasonable suspicion or random testing has been initiated, or an accident or injury has occurred, an employee may not seek treatment in an effort to avoid testing and possible disciplinary action.

**Section 912** – When an employee refuses a drug and/or alcohol test, it will be treated as insubordination and failure to obey a direct order and will be grounds for termination.

**Section 913** – As a condition of appointment, all applicants for employment, must sign the "Applicant's Certification and Agreement," and submit to drug and/or alcohol tests prior to appointment and if required, undergo a physical examination, at the City's expense.

Applicants who test positive for controlled substances are ineligible for employment and may not be eligible for employment with the City for a period of one year following the positive test.

## **SECTION 1000 – GRIEVANCE PROCEDURE**

**Section 1001** – The purpose of the grievance procedure is to identify complaints and disputes that the employee or applicant believes have not been previously addressed or responded to through the preferred and expected process of normal employee and supervisor interaction. Any employee may make a written grievance about any work related matter, conduct, policy, oral reprimand or condition that the employee believes to be unfair or contrary to his best interest.

Open, fair and respectful communication and interaction is expected at all times between all city employees. A grievance may not be used to personally malign, slander or harass another employee or supervisor. It is essential the grievance process be conducted on a professional basis and promotes a process of civility and respect for all.

**Section 1002** – All grievances must be in writing. The employee must designate in writing his choice of a representative if any, and their approval of this representative to be a party to the details and discussions associated with the grievance request.

In filing a grievance the employee shall provide no less than the following information:

1. A detailed written explanation of the concern or complaint including the date, time, place and person(s) involved in the particular incident;
2. The employee should also explain what actions or attempts he has made, to date, to bring the grievance matter or concern to the attention of the Department supervisors; and

3. What follow-up corrective action or response the employee desires or is recommending to be achieved as a result of the grievance and why.

**Section 1003** – Grievances shall be presented first to the employee’s immediate supervisor within ten working days after the occurrence of the incident, problem or concern in question. Every attempt should be made to achieve a satisfactory solution to the grievance at this point.

Immediate supervisors and Division Directors will meet with aggrieved employee to aid in the investigation of the filed grievance. The City Administrator is under no obligation to meet with the aggrieved employee if, in his opinion, it will not aid in his investigation or decision on the matter.

**Section 1004** – If a satisfactory solution is not developed, or the response is not satisfactory to the employee or applicant, he may appeal the grievance to the next level of supervision including the Division Director and City Administrator. At each level the employee and supervisors have ten working days after receipt of the response to file a written appeal or response. If no action is taken by the City Administrator the grievance shall be considered denied. The City Administrator is the final step of the grievance procedure.

## **SECTION 1100 – WORKPLACE VIOLENCE AND WEAPONS POLICY**

**Section 1101** – The City of Ranger is committed to providing a safe and healthy workplace for the benefit of its employees and the general public. Employees have the right to work in an environment free of violence. The City of Ranger is also committed to preventing violence against persons receiving city services and participating in city programs. Therefore, the City of Ranger has zero tolerance of workplace violence. All employees of the City are expected to treat each other, their customers, clients, and all others with courtesy, dignity and respect.

**Section 1102** – Violence, as the term is used in this policy, includes written or verbal communications, whether direct or indirect, which are of a threatening, intimidating or coercive nature; the use or threat of physical force, including fighting or horseplay; stalking; vandalism or destruction of property. It does not include intimidating language used by a supervisor in the reasonable correction of an employee’s failure to follow rules or orders.

**Section 1103** – It is the policy of the City of Ranger that no employee, other than those specifically authorized by the City for a particular work assignment, shall carry on or about their person, on city premises or at a city work site, any instrument or weapon that is specifically designed, made or adapted for the purpose of inflicting serious bodily injury or death. This includes but is not limited to clubs, firearms, handguns, illegal knives, explosives, crossbows, bows and arrows, throwing stars and knuckles. This prohibition includes concealed handguns, even though the employee may be duly licensed by the State of Texas to carry a concealed handgun. This does not include bona fide tools used by an employee in the normal course of his duties, when using the tool in the manner that it was designed to be used on city property.

**Section 1104** – All employees are responsible for promptly reporting violations of this policy to their supervisors and, where appropriate, to law enforcement authorities. The City Secretary is responsible for investigating allegations of violations of this policy.

**Section 1105** – Employees who violate this policy are subject to disciplinary action, up to and including termination.

## **SECTION 1200 – HARASSMENT AND DISCRIMINATION POLICY**

**Section 1201** - It is unlawful and against city policy for city employees to discriminate and/or harass employees, citizens, contractors and vendors of the City based on age, gender, race, religion, ethnicity, national origin, veteran status, disability, sexual orientation, or other protected trait.

**Section 1202** – It is illegal and against city policy for any employee, male or female, to sexually harass any other employees, citizens, contractors and vendors of the City. Sexual harassment is defined as any unsolicited offensive behavior that:

1. Makes submission to the behavior an explicit or implicit term or condition of employment; or
2. Submission to or rejection of the behavior is used as the basis for an employment decision; or
3. The behavior unreasonably interferes with an individual's work performance or creates intimidating, hostile or offensive working environment.

**Section 1203** - Any employee who believes he has been the subject of unlawful harassment or discrimination should immediately report the alleged act to his Supervisor, or Division Director and the City Secretary without fear of reprisal.

**Section 1204** - The complaint may be either oral or written. However, oral reports of harassment or discrimination must be reduced to writing either by the complainant or the City Secretary, and must be signed by the complainant. Complainants have a duty to cooperate with the investigation.



**Section 1205** - Upon receipt of the complaint, the City Secretary will promptly conduct an investigation of the allegation(s). Complaints and investigations will be held discreetly, but confidentiality is not assured due to the rights of the accused and other laws. Any employee found, after appropriate investigation, to have unlawfully harassed or discriminated against another employee will be subject to prompt disciplinary action.

**Section 1206** – The City recognizes that investigations require factual determinations based on all facts. Given the nature of harassment and discrimination, the City also recognizes that false accusations can have serious effects on innocent women and men. The false reporting of a claim or complaint may result in disciplinary action up to and including termination.

### **SECTION 1300 – AMERICANS WITH DISABILITIES ACT POLICY STATEMENT**

**Section 1301** – It shall be the policy of the City of Ranger that qualified individuals with disabilities is given the same considerations for employment given those without disabilities. An individual who is qualified for an employment opportunity shall not be denied that opportunity due to the disability unless providing a reasonable accommodation would impose an undue hardship on the City or the person with a disability would be a danger to self or others in the job position under consideration.

**Section 1302** - The following definitions shall apply to this policy:

1. There are three categories of reasonable accommodation. These are: (a) accommodations that ensure equal opportunity in the application process; (b) accommodations which enable a qualified individual with disabilities to perform the essential functions of the position held or desired; and (c) accommodations which enable a qualified individual with disabilities to enjoy equal benefits and privileges of employment as are enjoyed by employees without disabilities.
2. “Undue hardship” means significant difficulty or expense in, or resulting from, providing reasonable accommodations to an otherwise qualified individual with a disability.
3. A “qualified” individual with a disability is an individual who can perform the essential functions of the position held or desired with or without reasonable accommodation.

**Section 1303** – A reasonable accommodation may include making existing facilities used by employees readily accessible to and usable by individuals with disabilities, job restructuring, modified work schedules, reassignment to vacant positions, acquisition or modification of equipment or devices, adjustment or modification of examinations or training materials to enable the individual with a disability to compete for or perform the essential functions of the position.

**Section 1304** – The City Secretary shall meet with any qualified applicant or employee who requests an accommodation. The following steps shall be taken to determine, on a case-by-case basis, if a reasonable accommodation is possible:

1. Determine whether the person is a qualified individual;
2. The particular job will be analyzed to determine its purpose and essential function;
3. The disabled individual will be consulted to ascertain the precise job-related limitations imposed by the disability and how those limitations might be accommodated;
4. With the disabled individual's assistance, potential accommodations will be identified and assessed as to the effectiveness of each in enabling the individual to perform the essential functions of the job;
5. The disabled individual's accommodation preferences shall be considered in order to select and implement the accommodation most appropriate for both the employee and the City, but an applicant or employee cannot dictate that a particular reasonable accommodation be used if several are available; and
6. Safety of the individual and others.

**Section 1305** – The result of the above process shall be used to document if a particular accommodation would create an undue hardship. The following factors will be considered in determining an undue hardship or any actions requiring significant difficulty or expense, taking into account:

1. The nature and cost of the accommodation required;
2. The financial resources of the City;
3. The effect of the reasonable accommodation on expenses and resources;
4. The impact of the accommodation on the operation of the City; and
5. The existing spatial and operating parameters and/or constraints of the affected worksite.

**Section 1306** – Appeals from complaints of discrimination resulting from the application of this policy may be filed with the City Administrator under the grievance procedure. The City Administrator shall have the authority to order remedial action in the event such action is warranted.

## **SECTION 1400 – TECHNOLOGY POLICY**

**Section 1401** – The City maintains computers, peripheral equipment software, Internet access, and electronic mail systems to assist in conducting city business. The hardware, software, Internet access and e-mail services are city property. No employee should have any expectation of privacy as to computer files, Internet and e-mail messages.

**Section 1402** – Copying of city licensed software for use on other computer systems or installing software on city computers that is licensed to entities other than the City is a violation of license agreements, is subject to civil and criminal penalties, and is strictly prohibited.

**Section 1403** – Employees may not intentionally intercept, eavesdrop, record, read, alter or receive other persons’ e-mail messages without proper authorization. However, the City, through authorization of the City Administrator reserves the right to review the contents of employee’s computer drives, including e-mail communications, as deemed necessary.

**Section 1404** – City owned computers are not to be used to:

1. Display, archive, store, distribute, edit or record any kind of sexually explicit image or document regardless of file type or format;
2. Obligate the City to any cost or charge without prior authorization of the Division Director;
3. Store or send any offensive or disruptive messages, such as messages containing sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone’s age, sexual orientation, religious or political beliefs, national origin or disability;
4. Send or receive copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization;
5. Send harassing or threatening messages;
6. Obtain personal profit or engage in political activity on behalf of any candidate or cause; and
7. Engage in any activity, which would bring discredit upon the City of Ranger.

**Section 1405** – This policy applies to all employees, contractors, part-time employees, and volunteers who may have access to city owned computers, e-mail or Internet. Third parties shall only be provided access to these systems as necessary for their business purpose with the City. Contractors and third-party users who violate this policy may be removed from the system and/or have their contract revoked. In addition, other legal remedies may be pursued.

**Section 1406** – The misuse of city owned computers, peripherals, e-mail, or Internet privileges may be grounds for discipline, including termination, and may be referred for criminal prosecution.

## **SECTION 1500 – WORKPLACE PRIVACY POLICY**

**Section 1501** – The workplace is owned by the City of Ranger. All facilities, vehicles, fixtures and devices owned, leased or rented or provided by the City of Ranger may be inspected, searched, or reviewed at any time by the City Administrator or his designee. This may be done with or without your presence. Refusal to cooperate with a search under this policy will be considered insubordination and is ground for disciplinary action including termination.

**Section 1502** – All workplace technology such as telephone systems, computers, e-mail and voice mail systems, fax, answering machines and peripherals are owned by the City of Ranger. All communications over and activity conducted on city owned systems are property of the City. If you bring your own technology device to use at work, then it becomes subject to this policy.

**Section 1503** – Passwords used by employees are to prevent unauthorized access by other employees, but should not be construed as creating an expectation of privacy for the employee that used the password. Employees have no expectation of personal privacy when using city owned property or systems.

## **SECTION 1600 – WORKING CONDITIONS AND SAFETY**

**Section 1601** – Working conditions: Division Directors shall cooperate with employees and others to promote measures directed toward more sanitary, safe and healthful working conditions, and toward greater security.

**Section 1602** – Safety Officer: Each Division Director shall appoint a safety officer in each department who is responsible for developing and carrying out an aggressive program for safety education and training. All employees are required to take every precaution in the prevention of accidents to themselves, their fellow employees and the general public. Departments shall actively cooperate in implementing safety programs as initiated by their safety officer.

**Section 1603** – All employees will use every precaution in the prevention of accidents to themselves or other employees, and are charged with the responsibility of the proper operation of all equipment used in the normal function of their duties.

**Section 1604** – Accident/Incident Review Board: The City of Ranger promotes a philosophy that most vehicle accidents are preventable if all employees would exercise defensive driving techniques and common sense. This Board reviews the actions of city employees involved in vehicle accidents. It is responsible for determining if accidents were preventable through the use of defensive driving techniques. If city employees are at fault, causing or contributing to the accident, the Board shall recommend to the employee's Division Director disciplinary action based upon the Board's rules.

The Board also reviews non-vehicle accidents where injury or damage to city property occurred. These incidents that resulted in injury or damage to city property shall be administered in accordance to the Board's rules.

**Section 1605** – Employees must report all accidents and incidents immediately to his supervisor regardless of magnitude.

**Section 1606** – Mandatory Use of Seat Belts: Article 6701d, V.T.C.S., requires the use of automobile seat belts by front seat occupants at all times while the vehicle is in operation on a public street or highway. In the interest of employee safety and State law, the City of Ranger enforces the following policy:

1. Automobiles and Pickups - The vehicle operator is the responsible party in control of the vehicle and must ensure all occupants of a moving vehicle use seat belts. Employees must report any city vehicle not equipped with seat belts to their supervisor.
2. City Trucks Over 2 ton Capacity and Mobile Equipment - If a vehicle of this size is equipped with seat belts, it is the operator's responsibility to ensure that all occupants are wearing seat belts while the vehicle is moving. Defective or inoperable seat belt equipment must be reported immediately to the supervisor in charge of the vehicle for proper repairs or replacement. Operators and supervisors in charge of each vehicle are responsible for ensuring compliance with this policy. Any employee who fails to abide by this policy will be disciplined as follows:
  - \* 1st occurrence - written reprimand as per Section 503 of this manual;
  - \* 2nd occurrence - suspension from employment as per Section 504 of this manual;
  - \* 3rd occurrence - any other action deemed appropriate by the City Manager as provided for in Section 500 of this manual.

## **SECTION 1700 – VEHICLE USE POLICY**

**Section 1701** – The use of a city vehicle other than city related business is prohibited. Violation of this policy shall be grounds for disciplinary action, including dismissal.

## **SECTION 1800: PAY RATE INCREASE/STANDARD POLICY**

**Section 1801: Public Works:** For all licenses issued by the Texas Commission on Environmental Quality (Water, Wastewater, Customer Service Inspector, BPAT) a standard salary increase of \$0.50 per hour, per license shall be applied to the employees' salary upon issuance of each license. Employees who obtain a Class B Commercial or Exempt Driver's License shall receive a salary increase of \$0.25 per hour. The aforementioned increase shall be a one-time increase per license and are not retroactive.

**CERTIFICATIONS—RECEIPT OF PERSONNEL MANUAL, TURNING IN OF CITY PROPERTY,  
AND INDEBTEDNESS TO THE CITY OF RANGER**

I hereby certify that I have received a copy of the City of Ranger Personnel Rules Manual, read the Manual and understand its contents.

I further understand that upon my leaving service of the City of Ranger I will return any property belonging to the City of Ranger that is in my custody or possession before my final payroll check is given to me.

Additionally, I hereby certify that I do not owe any past due utility bills or any other past due fee, assessment or bill to the City of Ranger. Falsification in the failure to acknowledge a debt to the City shall be grounds for disciplinary action, including dismissal.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

/s/ \_\_\_\_\_  
Employee

ATTEST:

/s/ \_\_\_\_\_  
City Secretary

**STATEMENT OF AT-WILL EMPLOYMENT**

It is my understanding that the City of Ranger, Texas, Personnel Rules Manual as adopted by the Ranger City Commission is a general guide and provisions therein do not constitute an employment agreement (contract) or a guarantee to continued employment. I further understand that employment is on an at-will basis and that I may resign or the City may terminate me at any time for any reason or for no reason.

No agreement or promise regarding my employment is binding on the City unless it is in writing and signed by the City Administrator. I understand that provisions of the Personnel Rules Manual shall ultimately control any conflicting departmental policies or statements made by my supervisor. I further understand that the City has the right to change the Personnel Rules Manual at any time without notice and no one except the City Administrator can alter terms and conditions of employment.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

/s/ \_\_\_\_\_  
Employee

ATTEST:

/s/ \_\_\_\_\_  
City Secretary



**NEPOTISM CERTIFICATION**

No person defined as kinsmen to the Mayor, a City Commissioner or City Administrator shall be appointed to any office, position, clerkship or service of the City.

Employees related by blood or marriage as defined as kinsmen (Section 114) shall not be employed within the same functional work unit and common location where potential conflicts of interests may arise as determined by the City Administrator; employees related by blood or marriage as defined as kinsmen shall not supervised, either directly or indirectly, by any person related to them as kinsmen.

I hereby certify and understand the above stated policy and I am not a kinsman to the Mayor, or any City Commissioner, or City Administrator. I further certify I am not a kinsman to any employee working in the functional work unit and common location to where I am being employed.

I further understand that giving any false information shall be grounds for disciplinary action, including dismissal.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

/s/ \_\_\_\_\_  
Employee

ATTEST:

/s/ \_\_\_\_\_  
City Secretary

**VEHICLE USE CERTIFICATION**

The following employee may use a city vehicle to drive to and from his place of residence outside the city limits due to being on call in time of emergency.

Use of the city vehicle other than for city related business is prohibited. Violation of this policy shall be grounds for disciplinary action, including dismissal.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

/s/ \_\_\_\_\_  
Employee

/s/ \_\_\_\_\_  
City Secretary