

Employee Handbook and Safety Manual



Lake Jackson, Texas
“City of Enchantment”
Revised: June 2007

WELCOME

It is a pleasure to welcome you as an employee of the City of Lake Jackson - "The City of Enchantment". Since its incorporation in 1944, the City of Lake Jackson has evolved from a fledgling new town, designed to meet the housing needs generated by the construction of Dow Chemical's massive industrial facilities, to an attractive community of 30,000 residents with well landscaped streets, schools, major retail facilities and abundant parks. Once referred to derisively as "Swamp Jackson", the city has earned through the hard work of its citizens, elected officials and city employees the title "City of Enchantment".

The City is governed by a Mayor and five Council members, "City Council", all of whom are elected from the City at large. The City's Home Rule Charter, first adopted in 1954, provides for a Council-Manager form of government whereby the City Council enacts local legislation, adopts budgets, determines policies of the City and appoints the City Manager. As the chief administrative and executive officer, the City Manager executes the laws and administers the government of the City. The City Manager is responsible for all personnel matters and administration. The Human Resources department at City Hall conducts Personnel Administration on a daily basis and reports these activities to the City Manager.

The City is comprised of six divisions which are: Administration, Public Works, Engineering, Public Safety, Parks and Recreation, and Finance. Each division may be subdivided into several departments such as Public Works, which contains nine departments.

As a City employee you are charged with carrying out the "Mission of the City" and your department's goals and objectives. The Employee Handbook reflects the standard the City has established for all City employees to accomplish the City's mission and the organization's core values.

It is the MISSION of the City to be a leader in delivering outstanding quality services to all citizens through innovative and efficient use of resources.

Core Values:

- **Fiscally Responsible**
 - **Guiding Principle:** The City of Lake Jackson are fiscally responsible and innovative leaders in their decision making to ensure the community remains affordable.
- **Integrity**
 - **Guiding Principle:** The City of Lake Jackson act with integrity and transparency guided by a moral compass that points toward ethical and equal treatment of everyone.
- **Sense of Community**
 - **Guiding Principle:** The City of Lake Jackson will promote programs and projects that create cohesiveness and sustains a sense of community for its residents.

- **Customer Focused**
 - **Guiding Principle:** The City of Lake Jackson is focused on its citizens/customers and will listen and act with compassion, equity and friendliness.

- **Inclusive**
 - **Guiding Principle:** The City of Lake Jackson recognizes and honors the diversity of its citizenry and remains committed to including all citizens in its plans, programs and processes.

Please remember at all times that you are a public employee. Treat all citizens with the utmost courtesy and respect. Your actions and attitudes will be assumed to be the action and attitude of the entire City Government, so I encourage you to accept the challenge of setting the example for all to follow.

If you should have any questions, or if problems arise which are not clearly covered in this handbook, discuss them with your supervisor or the Human Resource office.



Modesto A. Mundo
City Manager

Acknowledgement of Receipt of the Employee Handbook & Safety Manual

I hereby acknowledge receipt of the City of Lake Jackson Employee Handbook & Safety Manual and agree to read it and to comply with it and any other rules and policies of the City. I understand that the handbook and all other written and oral material provided to me are intended for information purposes only. Neither City practices nor other communications create an employment contract or term. I understand that the policies and benefits in this handbook and communicated to me in any fashion are subject to interpretation, review and change by the City of Lake Jackson at any time without notice.

I further agree that neither this handbook nor any other communication shall bind the City of Lake Jackson to employ me now or hereafter, and that the City of Lake Jackson or I may terminate my employment without notice at any time. I further agree that if the City terminates my employment, it can be done without liability to me for wages or salary, except for what may have been earned at the time of termination, or that may be due by virtue of then applicable law.

I understand that no representative of the City has any authority to enter into any agreement of employment for any specified period of time, to assure any other personnel action, or to assure any benefits or terms or conditions of employment, or make any agreement contrary to the foregoing. I also understand and agree that this agreement may not be modified orally.

Employee Signature _____

Employee Printed Name _____

Date _____

RETURN TO THE HUMAN RESOURCES OFFICE UPON COMPLETION

TABLE OF CONTENTS

City of Lake Jackson Employee Handbook & Safety Manual

1. Introduction	
Foreword	100
At Will Employment	101
Purpose of the Employee Handbook	102
Relationship to City of Lake Jackson Municipal Code	103
Applicability of Policies	104
2. Employee Recruitment	
Equal Employment Opportunity	201
3. Employee Appointment	
Non-Fraternization	300
Screening / Interviewing / Selection Applications	301
Employee Eligibility Documents & Social Security Number	302
Residency	303
Minimum Age Requirements	304
Eligibility for Rehire	305
Texas Driver License & Driving Records	306
Nepotism	307
Pre-Employment Drug Screens & Medical Examinations	308
Identification Badges	309
Fuel Cards & Gate / Facility Access Keys	310
4. Employee Development, Training & Recognition	
Employee Development & Training	401
New Hire Period	402
Performance Evaluation	403
In-House Advancement	404
Transfers	405
Service Awards	406
5. Personnel / Employee Records	
Employee Records	501
Reference Checks / Recommendation	502
6. Wage & Salary Plan	
Procedure for Receiving Pay	601
Pay Plan System & Structure	602
Payroll Deductions	603
Overtime	604
Longevity Pay	605
Regular Part-Time Employees	606
Emergency / Natural Disaster Pay Policy / Guidelines	607
7. Employee Benefits & Services	
Holidays	701
Personal Leave	702
Tuition Reimbursement	703
Employee Assistance Program	704
City Health / Dental Plan	705
Social Security	706
Retirement	707
Life / Accidental Death Insurance	708
Uniforms	709

TABLE OF CONTENTS

8. Standards of Conduct for Employees	
Conflict of Interest	801
Outside Employment	802
Meal / Break Times	803
Use of Smoking & Smokeless Tobacco	804
Gambling	805
Carrying A Weapon	805.5
Use of City Vehicles / Equipment	806
Whistle Blower Act	807
Dress Code / Personal Appearance	808
Sexual Harassment	809
Other Harassment	810
Substance / Drug Abuse	811
Alcohol Abuse	812
Investigation & Inspection	813
Working Relationships	814
Physical Fitness	815
Political Activity	816
Acceptance of Gifts	817
Use of Telephones	818
Solicitations	819
Employee Parking	820
Use of City Computer Systems / Internet / E-Mail	821
Retention & Disposal of E-Mail Records	822
Violence in the Workplace	823
Mobile Communications Device Policy	824
Customer Service Standards	825
TikTok	826
9. Discipline	901
Disciplinary Action Process	
10. Attendance	1001
Hours of Work / Attendance / Tardiness	1002
Inclement Weather	1003
On-Call & Call-Back	1004
Absent Without Leave	1005
Catastrophic Event Policy	
11. Approved Leave	1101
Sick Leave	1102
Jury Duty / Absence for Voting	1103
Military Service Leave	1104
Bereavement Leave	1105
Personal Leave Without Pay	1106
General Leave with Pay	1107
Workers Compensation / Accident or Injury Leave Family & Medical Leave Act	1108 1109
Parental Leave	1110
Extended Leave	1111
Sick Leave Pool	
12. Termination of Employment	1201
Termination of Employment / Out-Processing Procedures	1202
Retirement	1203
Resignation	1204
Reduction in Force	
13. Employee Relations	1301
Counseling & Referral Services	

TABLE OF CONTENTS

Problem Solving	1302
14. Reimbursement of Employee Expenses	
Travel Expenses	1401
Use of Personal Vehicle	1402
Reimbursement for Professional Development Activities	1403
15. Safety	
Management's Policy Statement	1501
General Administration	1502
Supervisor's Safety Responsibilities	1503
Record Keeping	1504
Quarterly Accident Analysis	1505
Safety Education & Training	1506
Monthly Safety Inspection	1507
Reporting of City Vehicle Accidents	1508
Reporting of On-The-Job Injuries	1509
Reporting Hazards	1510
Worker's Compensation	1511
Annual Review of the Accident Prevention Plan	1512
Accident Review Board	1513
Eligibility to Drive City Vehicle	1514
Disciplinary Action Process	1515
Employee Safety Guidelines	1516
Personal Protective Equipment	1517
Motor Vehicle Operation & Safety	1518
Hazard Communication Program	1519
Confined Space Entry	1520
Trenching & Excavation Safety	1521
Barricade Guidelines	1522
Lockout / Tagout Procedures	1523
Material Handling Safety	1524
Additional Safety Rules for Sanitation Employees	1525
Light Duty Policy	1526

POLICY & PROCEDURE MANUAL

Section: Introduction
Policy: Foreword
Policy #: 100
Effective: June 2007
Revised: November 2006

FOREWORD

This employee handbook and safety manual reflects the policies and procedures of The City of Lake Jackson. The purposes of this handbook and manual are:

- ◆ To provide employees and supervisors with the information necessary to fulfill its responsibilities to the citizens of this City; and
- ◆ To provide for fairness and equity in the treatment of employees.

It is expected that supervisors will become familiar with the contents of this manual so that they will be able to answer employee questions as they arise and apply the appropriate policies and procedures, as the occasion requires. Employees are also responsible for ensuring that they are familiar with these policies and procedures, understand them and abide by them.

Questions about application, interpretation, or clarification regarding any specific policies or procedures are to be directed to the Personnel Director or Human Resources Office.

Because such policies and procedures are subject to change, with or without prior notice, the information provided in this Policy and Procedure Manual is not intended to create a contract of employment nor should it be construed as terms and conditions of a contract of employment with the City.

Modesto Mundo
City Manager

Date Approved

POLICY & PROCEDURE MANUAL

Section: Introduction
Policy: Foreword
Policy #: 100
Effective: June 2007
Revised: November 2006

FOREWORD

This employee handbook and safety manual reflects the policies and procedures of The City of Lake Jackson. The purposes of this handbook and manual are:

- To provide employees and supervisors with the information necessary to fulfill its responsibilities to the citizens of this City; and
- To provide for fairness and equity in the treatment of employees.

It is expected that supervisors will become familiar with the contents of this manual so that they will be able to answer employee questions as they arise and apply the appropriate policies and procedures, as the occasion requires. Employees are also responsible for ensuring that they are familiar with these policies and procedures, understand them and abide by them.

Questions about application, interpretation, or clarification regarding any specific policies or procedures are to be directed to the Personnel Director or Human Resources Office.

Because such policies and procedures are subject to change, with or without prior notice, the information provided in this Policy and Procedure Manual is not intended to create a contract of employment nor should it be construed as terms and conditions of a contract of employment with the City.

POLICY & PROCEDURE MANUAL

Section: Introduction
Policy: Employment at Will
Policy No: 101
Effective: June 2007
Revised: November 2006

EMPLOYMENT AT WILL (FT, PT, T/S)

The City of Lake Jackson is an employment-at-will employer as defined under Texas common law. As such, the employment relationship between the employee and the City is **TERMINABLE AT THE WILL OF EITHER THE CITY OR THE EMPLOYEE, WITH OR WITHOUT CAUSE, AT ANY TIME WITHOUT NOTICE, AND FOR ANY REASON.** The City may set rules and regulations governing the conduct of the employees, but no communication or practice shall limit or modify the employment-at-will relationship. Additionally, this manual is not intended to create a contract of employment, and no agreement or promise regarding an individual's employment is binding on the City unless it is in writing and signed by the City Manager. The provisions of the manual have control over any conflicting statements made by supervisors, and the City has the right to revise, change, or terminate the policies or procedures at any time, with or without notice.

Nothing contained in this policy manual or in any other materials or information distributed by the City creates a contract of employment between an employee and the City of Lake Jackson. Employment is on an at-will basis.

POLICY & PROCEDURE MANUAL

Section: Introduction
Policy: Purpose of the Employee Handbook
Policy No: 102
Effective: June 2007
Revised: November 2006

PURPOSE OF THE EMPLOYEE HANDBOOK (PT, FT, T/S)

The purpose of this handbook is to provide employees with a written source of information about City guidelines. The matters discussed in this manual are intended solely for the general guidance of employees, and nothing contained herein is intended to act as a contract, agreement or guarantee of employment or of the terms of employment.

The policies in this handbook are guidelines only, and they do not constitute any type of employment contract or agreement with any employee, nor are they intended to make any commitment to any employee concerning how individual employment action will be handled. The City reserves the right to revise, change or terminate any of these policies or procedures with or without notice. These guidelines and procedures supersede any other handbook and/or personnel policies previously issued by the City.

"The City of Lake Jackson Employee Handbook", shall be provided to each employee.

The Personnel Office shall be managed by the Personnel Director. Should you need any clarification of the provisions of this manual, please address your questions to the Personnel Office.

It must be the constant aim of the personnel of the City of Lake Jackson to develop a better municipal government. Every employee is working for the same public and therefore, should have the spirit and understanding that his/her work is of worthwhile benefit to the public. Maintaining proper skills and knowledge of his/her work and respect for his/her job and the job of all other City employees should be uppermost in the mind of the employee.

POLICY & PROCEDURE MANUAL

Section: Introduction
Policy: Relationship to City of Lake
Jackson Municipal Code
Policy No: 103
Effective: June 2007
Revised: November 2006

RELATIONSHIP TO CITY OF LAKE JACKSON MUNICIPAL CODE (PT, FT, T/S)

Every effort will be made to ensure that guidelines are consistent with the Code of Ordinances of the City of Lake Jackson. If, however, there is any discrepancy, the Code of Ordinances shall apply. Any person finding discrepancies should notify the Personnel Director immediately.

POLICY & PROCEDURE MANUAL

Section: Introduction
Policy: Applicability of Policies
Policy No: 104
Effective: June 2007
Revised: December 2015

APPLICABILITY OF POLICIES (PT, FT, T/S)

The guidelines contained in this Handbook apply to all regular full-time, regular part-time, temporary, and seasonal employees who work for the City of Lake Jackson. City employees who report directly to the City Council (E.g. City Manager, City Attorney, and Municipal Judges) may be subject to alternative guidelines as determined by the City Council.

POLICY & PROCEDURE MANUAL

Section: Employee Recruitment
Policy: Equal Employment Opportunity
Policy No: 201
Effective: June 2007
Revised: November 2006

EQUAL EMPLOYMENT OPPORTUNITY (FT, PT, T/S)

Our goal at the City of Lake Jackson is to recruit, hire, and maintain a diverse workforce. Equal employment opportunity is not only good business -- it's the law and applies to all areas of employment, including recruitment, selection, hiring, training, transfer, promotion, termination, compensation, and benefits.

The City of Lake Jackson is an Equal Opportunity Employer. Pursuant to the following regulations, no hiring or employment decision shall be based upon race, color, religion, sex, national origin, age or disability.

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN:

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, and other aspects of employment, on the basis of race, color, religion, sex or national origin. The law covers applicants to and employees of state and local governments.

AGE:

The Age Discrimination in Employment Act of 1967, as amended, prohibits age discrimination and protects applicants and employees 40 years of age or older from discrimination on account of age in hiring, promotion, discharge, compensation, terms, conditions, or privileges of employment. The law covers applicants to and employees of state and local governments.

SEX (WAGES):

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act (see above), the Equal Pay Act of 1963, as amended, prohibits paying lower wages to employees of one sex for work performed under similar working conditions, which requires substantially equal skill, effort, and responsibility.

DISABILITY:

The American with Disabilities Act of 1990, as amended, prohibits discrimination on the basis of disability, and protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, and other aspects of employment. The law also requires that covered entities provide qualified applicants and employees with

disabilities with reasonable accommodations that do not impose undue hardship. The law covers applicants to and employees of state and local governments.

POLICY & PROCEDURE MANUAL

Section: Employee Appointment
Policy: Non-Fraternization
Policy No: 300
Effective: January 2007
Revised: November 2006

NON-FRATERNIZATION (FT, PT)

While the City of Lake Jackson encourages amicable relationships between members of management and their subordinates, it recognizes that involvement in a romantic relationship may compromise or create a perception that compromises a member of management's ability to perform his/her job. Any involvement of a romantic nature between an officer, director, manager, supervisor, or representative of the organization and anyone he/she supervises, either directly or indirectly, is prohibited. Violation of this policy will lead to corrective action up to, and including, termination of the management individual involved in the relationship.

POLICY & PROCEDURE MANUAL

Section: Employee Appointment
Policy: Applications / Screening /
Interviewing Selection
Policy No: 301
Effective: January 2007
Revised: December 2015

EMPLOYMENT/ SCREENING/ INTERVIEWING SELECTION APPLICATIONS

(FT, PT, T/S)

The City of Lake Jackson accepts applications for only those positions which are posted or currently open. Incomplete applications or those which are illegible or not specific as to the position applied for will not be considered.

Applications are kept on file for a period of two years after submission and may be re-activated for a different position during that period by contacting the Personnel Department.

Although a resume' may be attached to an application to provide additional information and job references, resumes' submitted without a completed City of Lake Jackson application will not be considered. All applications must be signed where a signature is requested.

The City of Lake Jackson does conduct a background check on all applicants prior to making an offer of employment. The applicant, by signing the application, gives his or her consent to a background/criminal history check.

POLICY & PROCEDURE MANUAL

Section: Employee Appointment
Policy: Employment Eligibility Documents and Social Security Number
Policy No: 302
Effective: January 2007
Revised: November 2006

EMPLOYMENT ELIGIBILITY DOCUMENTS & SOCIAL SECURITY NUMBER (FT, PT, T/S)

Federal regulations require the City of Lake Jackson to comply with the Immigration Reform and Control Act of 1986. All new employees must complete Section I of the I-9 Form and provide the City with specific documents to establish their identity and employment eligibility within three (3) days of commencing employment. The Human Resources Department is responsible for obtaining the I-9 Form and verifying the eligibility to work in the United States. Employees will be expected to complete the I-9 Form during new hire in - processing on their first day of work. Human Resources will properly complete the Employer Section of the I-9 Form. If a new employee is unable to provide the necessary documentation within three (3) working days from the date of hire, he/she must provide proof that he/she has applied for the required documents. Failure to provide the identity and employment eligibility documents within the time frame will result in termination.

Each employee of the City of Lake Jackson shall have a social security number as a condition of employment.

If a manager is notified by any governmental agency that it is going to conduct an inspection of the I-9 documents, the manager should contact Human Resources immediately.

POLICY & PROCEDURE MANUAL

Section: Employee Appointment
Policy: Residency
Policy No: 303
Effective: June 2007
Revised: December 2015

RESIDENCY (FT/PT)

The City may not require residency within the city limits as a condition of employment with the City. Employees classified as Sworn Personnel, Management/Supervision or above who reside outside the city limits must be able to respond to a civil emergency within 30 minutes from time of notification. (See: Local Government Code Section 150.021, c).

Exception: City Council appointees are required to live in the City limits as provided for in the City Charter.

POLICY & PROCEDURE MANUAL

Section: Employee Appointment
Policy: Minimum Age Requirements
Policy No: 304
Effective: June 2007
Revised: November 2006

MINIMUM AGE REQUIREMENT (FT, PT, T/S)

The City of Lake Jackson's minimum age for regular employment will be eighteen (18) years of age. The only exception will be for selected seasonal and/or temporary positions when prescribed differently by federal or state law. In no case are individuals younger than fifteen (15) years of age eligible for employment. A birth certificate and a minor's work release will be required of each applicant who is under eighteen (18) years of age prior to employment with the city.

POLICY & PROCEDURE MANUAL

Section: Employee Appointment
Policy: Eligibility for Rehire
Policy No: 305
Effective: June 2007
Revised: November 2006

ELIGIBILITY FOR REHIRE (FT, PT)

Employees terminated by the City, or who voluntarily terminate their employment, will generally not be considered for re-hire. Exceptions to this rule are considered in cases of reduction in force layoffs, employees returning from approved family leave, employees who have terminated their employment because of the birth or adoption of a child, and other circumstances as approved by the City Manager. Former employees excepted from this policy and permitted to apply for re-employment with the City, shall not receive preference over other applicants on the basis that they were formerly employed with the City.

POLICY & PROCEDURE MANUAL

Section: Employee Appointment
Policy: Texas Driver's Licenses
and Driving Records
Policy No: 306
Effective: June 2007
Revised: December 2015

TEXAS DRIVER'S LICENSES & DRIVING RECORDS (FT, PT, T/S)

The City of Lake Jackson requires all employees driving and/or operating a City vehicle to have the appropriate valid driver's license with any endorsements as required by the City and/or the State of Texas.

Persons that apply for positions and/or transfers which require a valid Texas Class, A, B, C, or M license must obtain said license within three (3) months of appointment, and shall not be permitted to operate any vehicle until the appropriate license is obtained. Failure to obtain the appropriate license as outlined above may result in immediate termination.

Employees must report any DWI violation(s), arrest, charges or suspension of their driver's license to their supervisor immediately. A driver's license check shall be conducted every year by the Human Resources Office for those employees who are required to drive. Employees who are convicted of at least three (3) moving violations and/or one or more DWI violations within a three (3) year period may be subject to disciplinary action and prohibited to drive any City vehicle. In the event the need to be able to drive is an essential job function for that position, the employee may be subject to termination of employment (See guideline Eligibility to Drive City Vehicle).

POLICY & PROCEDURE MANUAL

Section: Employee Appointment
Policy: Nepotism
Policy No: 307
Effective: June 2007
Revised: November 2006

NEPOTISM (FT, PT)

No person related within the first and second degree by affinity, or within the first, second and third degree by consanguinity to any elected officer of the city, or to the city manager, shall be appointed to any office, position or clerkship or other service of the city.

The City Manager may reject the application if a person is related to a city employee within the first and second degree by affinity, or within the first, second and third degree by consanguinity.

This prohibition shall not apply to persons who have been continuously employed by the City for a period of one (1) year prior to the election of the Mayor or Council member or appointment of the City Manager.

During the course of employment should two employees within the same department become related by affinity within the first degree, and they wish to remain City employees, one must seek a transfer to another department. This decision shall be made and agreed upon by those considered for any City position for which he/she is qualified but cannot remain in the existing department for more than ninety (90) days. Qualifications being equal, the transferring employee shall be given preferential treatment. If a suitable position cannot be found by the end of this period, one of the two must terminate or be subject to reassignment if another position is available. Reassignment is subject to the discretion of the City Manager and the individual's skills. For purposes of this section, the following definitions apply:

Consanguinity (Blood Relationships)

<u>1st Degree</u>	<u>2nd Degree</u>	<u>3rd Degree</u>
Father	Grandfather	Great Grandfather
Mother	Grandmother	Great Grandmother
Son	Grandson	Great Grandson
Daughter	Granddaughter	Great Granddaughter
Brother	Uncle	Great Uncle
Sister	Aunt	Great Aunt
Half-Brother	Nephew	Great Nephew
Half-Sister	Niece	Great Niece
1st Cousin	2nd Cousin	

Affinity (Marriage Relationships)

1st Degree

Mother in Law
Father in Law
Brother in Law
Sister in Law
Son in Law
Daughter in Law
Spouse
Step Father
Step Mother
Step Son
Step Daughter

2nd Degree

Grandfather in Law
Grandmother in Law
Grandson in Law
Granddaughter in Law
Uncle in Law
Aunt in Law
Nephew in Law
Niece in Law
1st Cousin in Law

POLICY & PROCEDURE MANUAL

Section: Employee Appointment
Policy: Pre-Employment Drug Screens and Medical Exam
Policy No: 308
Effective: June 2007
Revised: November 2006

PRE-EMPLOYMENT DRUG SCREENS AND MEDICAL EXAM (FT, PT, T/S)

All applicants for employment will be subject to drug testing. Before being appointed, and after a conditional offer of employment, a prospective employee shall undergo a thorough medical examination by a physician designated by the City.

After the decision has been made to hire an applicant, an offer of employment will be extended contingent upon the candidate successfully passing a pre-employment drug screen and/or a medical examination. Human Resources will be responsible for determining the facility to be used for the pre-employment drug screen and/or medical exam.

The candidate will be provided with directions to the collection site. He/she must report to the collection site, with a valid picture ID, within twenty-four (24) to forty-eight (48) hours of being given directions. If the collection site staff discovers that the applicant has not followed the collection procedures or has altered the specimen in any way, the applicant will no longer be eligible for employment.

The applicant should understand that passing the pre-employment drug screen and/or medical exam is a part of the employment process. In the event that the applicant does not successfully pass the pre-employment drug screen and/or medical exam, the offer of employment will be revoked.

If the applicant should have any questions concerning a drug screen and/or medical exam, all inquiries should be forwarded to the Human Resources Department.

All information regarding drug screen results and/or medical exams will be kept strictly confidential. This information will be kept separately in the employee's confidential medical file in the Human Resources Department.

Under no circumstances will the results of any applicant's drug screen be discussed with anyone except for those individuals in the Human Resources Department authorized to deal with this confidential information and those in authority who have a need-to-know.

POLICY & PROCEDURE MANUAL

Section: Employee Appointment
Policy: Identification Badges
Policy No: 309
Effective: June 2007
Revised: November 2006

IDENTIFICATION BADGES (FT, PT)

Employees shall be issued identification badges for the purpose of conducting official City business. Identification badges shall be issued and approved by the Human Resources Office/City Manager. All employees shall maintain access to badges while on duty. Identification badges shall remain the property of the City and shall be returned to the Human Resources Office by the employee upon termination of employment.

In order to protect the safety and maintain the security of all employees, every employee is encouraged to wear a picture identification badge at all times while on company premises.

Human Resources will issue an ID badge to all new employees. Loss or damage of the ID badge should be reported to Human Resources immediately in order for the badge to be deactivated in the system (for payroll purposes). There will be a \$5.00 replacement fee charged (after the 2nd replacement) if the loss of the identification badge was the result of abuse or carelessness. There will be no charge for normal wear and tear of the identification badge.

POLICY & PROCEDURE MANUAL

Section: Employee Appointment
Policy: Fuel Cards & Gate/Facility Access
Policy No: 310
Effective: June 2007
Revised: November 2006

FUEL CARDS & GATE/ FACILITY ACCESS KEYS (FT, PT)

The City recognizes that particular employees have the need to refuel or have gate access to City facilities in the course of performing their duties.

I. VEHICLE/EQUIPMENT FUEL CARDS

- A. Fuel cards are assigned to vehicles or equipment by the Finance Department upon request and upon authorization.
- B. Fuel cards and access keys are the property of the City and shall be returned upon termination from employment.
- C. Some cards are assigned to departments for general use or the fueling of smaller pieces of equipment.
- D. All fuel cards are to be kept maintained in a secure location by each respective department head/employee.
- E. Drivers of vehicles or operators of equipment will be responsible for assigned fuel cards.
- F. Any fuel cards lost, damaged or destroyed must be reported immediately to the respective department head and/or Finance Department.

II. GATE/FACILITY ACCESS KEYS

Gate/Facility access keys will be issued to employees by the respective department head or supervisor as per need.

POLICY & PROCEDURE MANUAL

Section: Employee Development,
Training & Recognition
Policy: Employee Development &
Training
Policy No: 401
Effective: June 2007
Revised: November 2006

EMPLOYEE DEVELOPMENT & TRAINING (FT, PT)

Management/Supervision may, when it is judged to be in the best interest of the city, request or permit employees to attend various workshops/conferences at the expense of the city.

- A. The supervisor of each employee has the responsibility to offer the training needed to help carry out their tasks in the most competent and effective manner possible.
- B. Full time regular employees may be reimbursed for expenses incurred when attending workshops or conferences as funds are available and with prior approval of their immediate supervisor, and Department Director.
- C. Licensing/certification exams required as outlined by job description for regular full-time positions are covered at 100%, regular part-time positions are covered at 50% with appropriate approvals.
- D. Attendance at workshops/conferences must be clearly shown to be job specific, in the best interest of the City, and within the limitations of budgeted funds.
- E. Every attempt should be made to submit requests for approval to attend workshops/conferences two weeks prior to the event.
- F. Should an employee choose to attend a program voluntarily, without an invitation or approval by the Department Head, he/she shall be considered to be on his/her own time and shall not be reimbursed.

POLICY & PROCEDURE MANUAL

Section: Employee Development,
Training & Recognition
Policy: New Hire Period
Policy No: 402
Effective: January 2007
Revised: December 2015

NEW HIRE PERIOD (FT, PT)

The performance of all newly hired employees shall be evaluated after the completion of six (6) months of employment. The completion of a new employee's first six (6) months does not limit the employee's at will status. An employee's new hire period may be extended past six (6) months for different reasons; however, under no circumstances will it extend past one (1) year. Employees who are transferred and/or promoted to a new position must serve a six (6) month new hire period for that position. Failure to successfully complete the new hire period will result in termination. Sick leave is accrued but may not be used during the first six (6) months. An eligibility (waiting) period of six (6) months from the date of employment must transpire before Personal Leave may be used for every person appointed to a regular full-time or regular part-time position in the City.

POLICY & PROCEDURE MANUAL

Section: Employee Development,
Training & Recognition

Policy: Performance Evaluation

Policy No: 403

Effective: June 2007

Revised: December 2015

PERFORMANCE EVALUATION (FT, PT)

It is the intention of the City to recognize the performance of its current employees through the administration of a Pay for Performance Plan. Merit increases will reward those employees whose past performance warrants it and will allow the City to retain a quality work force. This plan is applicable to all regular full-time and regular part-time City employees.

Performance evaluations shall occur at least at the end of the new hire period and annually thereafter pursuant to the following schedule. All evaluations shall be executed by the employee's direct supervisor and subsequently approved by the next higher level of supervision before being reviewed by the Personnel Director. The evaluation will not be discussed with the employee until after being discussed with the next level of supervision and approved by the Personnel Director and the City Manager.

Employees who desire to request an appeal may do so in writing to their Department Director within ten (10) working days from the receipt of their performance evaluation interview.

The employee's written performance evaluation appeal request must include a statement that they wish to appeal their evaluation results and it must also address each specific area of disagreement and/or concern. If the employee has any documentation to support his/her position it should be provided with the appeal request. The Department Director will have ten (10) working days from receipt of the appeal request to schedule and hear the employee's concerns. The Department Director will provide the employee with a written response to their meeting and decision based on their discussion and supporting documentation within ten (10) working days of hearing the performance evaluation appeal. If the employee is still not satisfied with the outcome of the Department Director's decision, then the employee may appeal to the City Manager within ten (10) working days of receiving the Department Director's written response. The request should be made in writing and note that the employee is still not satisfied after receiving the decision from the Department Director. The City Manager will have a reasonable amount of time from receipt of the appeal request to schedule a hearing to allow the employee the opportunity to explain the reason(s) that he/she is still not satisfied. The City Manager will provide the employee with a written response to their meeting and a final decision based on their discussion and supporting documentation within ten (10) working days of hearing the performance evaluation appeal. The City Manager's decision is final and ends the appeal process. The complete process should not exceed sixty (60) calendar days. The Personnel Director and/or Human Resources Office should be kept informed during each phase of the process.

Job Family	New Hire Period	Annual Evaluation Period Due Date
Service/Maintenance	6 Months (No Increase In Pay)	Oct. 1 - Nov. 1
Office/Clerical	6 Months (No Increase In Pay)	Oct. 1 - Nov. 1
Technical	6 Months (No Increase In Pay)	Nov. 1 - Dec. 1
Sworn Personnel	6 Months (No Increase In Pay)	Nov. 1 - Dec. 1
Professional	6 Months (No Increase In Pay)	Dec. 1 - Jan. 1
Management Supervision	6 Months (No Increase In Pay)	Dec. 1 - Jan. 1
Directors	6 Months (No Increase In Pay)	Jan. 1 - Feb. 1
Temporary/Seasonal	N/A	N/A

Non-exempt and exempt personnel are NOT ELIGIBLE for a percentage increase at the end of their new hire period.

Employees shall be ELIGIBLE for a merit increase at the time of the regular scheduled annual evaluation (an employee with less than six (6) months service at the time of the annual evaluation period must wait until the next scheduled regular evaluation to be eligible for a merit increase).

Once an employee has reached the top of a pay range, he or she will receive no further rate adjustment, but will be eligible for annual one time lump sum incentive pay increases above the cap of his or her respective range based upon performance and to the extent of budget limitations.

Employees receiving below standard or needs improvement evaluations shall be placed on a PERFORMANCE IMPROVEMENT PLAN (PIP), which shall outline corrective actions required in order to improve performance. All PIP's must be reviewed by the Personnel Director and authorized by the City Manager before the evaluation interview with the employee. Employees on PIPs are not eligible for a merit increase. However, if the Performance Improvement Plan is successfully completed prior to a one (1) year period, the supervisor may request with the approval of the City Manager that a merit increase be given. The merit increase will not be retroactive. No merit increase will be given for PIPs that are for a one (1) year period or that has to be extended for a one (1) year period.

A Performance Improvement Plan (PIP) can be of a duration starting from three (3) months to one (1) year depending on the area (s) where improvement is needed. The supervisor will recommend the duration of the PIP and it must follow the appropriate chain of review and authorization process before being administered to the employee. If an employee fails to successfully complete the requirements as outlined on the PIP after the duration of time noted on the PIP, the supervisor can either recommend an extension of the time (based on marked improvement shown in a major area (s) or other extenuating circumstances) or termination of employment. Approval has to be authorized by the City Manager.

POLICY & PROCEDURE MANUAL

Section: Employee Development,
Training & Recognition
Policy: In- House Advancement
Policy No: 404
Effective: June 2007
Revised: November 2006

IN-HOUSE ADVANCEMENT (FT, PT)

Employees receiving a promotion may receive up to a 5% increase above their current rate in the event that their current rate of pay is greater than the starting rate for the newly appointed position. Where a current employee is recommended for promotion but does not meet minimum qualifications, the employee may be considered for hire pursuant to a developmental tracking program. Developmental tracking simply requires the employee to obtain the minimum level of qualifications within a specified and reasonable time frame from the date of appointment. Employees hired on the developmental tracking program will be compensated at 10% below the minimum or entry-level rate for the respective position. Developmental tracking appointments must be approved by the City Manager before any offer of employment is made.

POLICY & PROCEDURE MANUAL

Section: Employee Development,
Training & Recognition
Policy: Transfers
Policy No: 405
Effective: June 2007
Revised: December 2015

TRANSFERS (FT)

Employees receiving a transfer to a position within the same classification shall receive no increase. The employee will be evaluated after six (6) months and will be eligible for a merit increase (no more than 2 ½ percent) if they have not received a merit increase within the last twelve (12) months. An employee receiving a transfer cannot receive a merit increase for past performance in their former position. A transfer to a lower classification within a job family may constitute a demotion, and in such cases the employee may receive a decrease in wage/salary. An employee who voluntarily transfers to a lower classification will be required to provide a written statement explaining the request. The statement will include that the transfer was not coerced/forced and is being done of his/her own free will. A signature and date will be required on the statement and the statement will be placed in the employee's personnel file as documentation of the request.

POLICY & PROCEDURE MANUAL

Section: Employee Development,
Training & Recognition
Policy: Service Awards
Policy No: 406
Effective: June 2007
Revised: November 2006

SERVICE AWARDS (FT)

An annual service awards presentation is held each year to recognize longevity of employee service. Service awards are calculated on five-year steps, and only unbroken service is counted towards an award; however, credit also covers breaks in service caused by required service in the armed forces of the United States, or reduction if force layoffs. Each year employees reaching a five-year step (5, 10, 15, 20, and so on) are presented awards. Employees eligible for the awards are notified of the time and place of the presentation.

The Human Resources Department is responsible for ordering all service awards and notifying the employee's supervisor.

POLICY & PROCEDURE MANUAL

Section: Personnel Employee
Records
Policy: Employee Records
Policy No: 501
Effective: June 2007
Revised: November 2006

EMPLOYEE RECORDS (FT, PT)

An effective system for keeping records on job applicants, current employees, and former employees is essential to the proper functioning of the Personnel Office and function. The City strongly believes, however, in respect for the rights and dignity of each employee, and the City pledges to conduct its business in such a way that the privacy of all its employees is protected within the guidelines of Federal and State Regulations. For example, all medical history and information shall be maintained in a separate confidential file pursuant to the Americans with Disabilities Act.

- I. The City shall request, use and retain only personal information concerning employees that is required for business or legal reasons.
- II. All information about employees in either personnel or supervisory files will be kept confidential and will be disclosed on a need to know basis within the City only to supervisory and management personnel who are considering the employee for promotion, transfer, demotion, termination, or other personnel action.
- III. Any employee may inspect his/her personnel file.
- IV. Employees desiring to inspect their personnel files should contact the Personnel Office to establish a convenient time for this review. The employee may review the files and may take notes or request single copies of each page at the current determined copy rate, but no employee is allowed to remove anything from any personnel file. An employee may request correction of inaccurate information.
 - A. Routine statistical date corrections will be made as requested.
 - B. Disciplinary action disagreements should be made note of at the time the action is taken and the established appeals procedure followed.
 - C. Performance evaluation disagreements should be made note of at the time of the performance review.

- D. Written documentation submitted as a part of the appeals procedure shall be reviewed by the Director of Personnel and shall become a portion of the employee's file.
- V. All requests for information from persons outside the City concerning job applicants and current, retired, or terminated employees must be referred to the Personnel Department. No one else is authorized to release such information. Release of information contained in employee personnel files is controlled by provisions of the Texas Open Records Act.
- VI. In order to keep personnel records up to date:
 - A. Employees are required to notify their supervisors of a status change, within 72 hours:
 - 1. Name; Address; Telephone number
 - 2. Marital status
 - 3. Number of dependents
 - 4. Persons to be notified in case of emergency
 - B. Employees should contact the Personnel Department for changes in:
 - 1. Beneficiary designations for the City's insurance, disability and pension plans
 - 2. W-4 Forms

POLICY & PROCEDURE MANUAL

Section: Personnel Employee
Records
Policy: Employee Records
Policy No: 502
Effective: June 2007
Revised: November 2006

REFERENCE CHECKS/ RECOMMENDATION (FT, PT, T/S)

All requests for information, from persons outside the City concerning job applicants and/or current, retired, or terminated employees must be made in writing and referred immediately to the Personnel Office. Such requests shall include, but not be limited to:

- A. Verification of employment for loan and/or credit application
- B. Verification of employment status
- C. Salary verification or information
- D. Verification of work and/or attendance records
- E. Prior work history

Without a signed release, the Personnel Office will release only the dates of employment, positions held and final salary. No one else is authorized to release such information. Letters of recommendation written for a current, retired, or terminated employee must be approved by the Personnel Director and/or City Manager. A copy of the letter shall become a portion of the employee's file.

POLICY & PROCEDURE MANUAL

Section: Compensation Plan
Policy: Procedure for Receiving Pay
Policy No: 601
Effective: June 2007
Revised: December 2015

PROCEDURE FOR RECEIVING PAY (FT, PT, T/S)

Employees are to be paid for hours worked and/or for use of authorized paid leave every other Friday. There are two payrolls. One pay period ends on the alternate Tuesday at 12:00 midnight and the other pay period ends on the alternate Friday at 12:00 midnight or at the end of the scheduled shift which begins on that Friday.

All employee status record changes may be submitted to the Human Resources Office by 5 p.m. on the first Friday of the pay period (the Friday paychecks are issued) to be effective on the next paycheck.

I. REGULAR PAYMENT PROCEDURES

- A. All paychecks received on a regular basis will be issued to employees by designated persons (i.e. supervisors) within each City division on alternative Fridays by noon [extenuating circumstances notwithstanding] following each pay period ending date (alternate Tuesdays or Fridays). In the event that the regularly scheduled payday falls on a City holiday, or if other circumstances require a change in the scheduled payday, employees will be notified of the change in pay date.

- B. No paychecks will be issued early unless authorized by the City Manager or his/her designated representative. Paychecks issued early will be released to the employee's supervisor, unless otherwise authorized by the City Manager or Human Resources Office. Supervisors shall release paychecks to the employee only. Employees who have scheduled leave time on payday (Friday) may, with the approval of their supervisor, pick up his/her check after 4PM on Thursday, if available. In rare cases where circumstances prohibit an employee from picking up his/her check (i.e., illness), the employee must contact his / her supervisor or provide a written release authorizing another person to receive the check. Early paychecks must be signed for by the recipient, and identification may be required.

- C. Employees may use their lunch hour to deposit or cash checks, but shall not be permitted to leave the work site during break for same purpose. With the exception of employees assigned take home vehicles, employees shall never use a City vehicle as transportation to deposit or cash paychecks. However, police officers may use an assigned patrol vehicle for these purposes during their lunch hour as long as the officers remain within their patrol areas.
- D. Direct deposit is available on request. Employees using direct deposit must notify the payroll department of any changes in their banking status at least 4 days prior to the scheduled payday.

II. FINAL PAYMENT PROCEDURES

- A. All final paychecks will be picked up at the Human Resources Office.
- B. Paychecks will be released to the employee only. In rare cases where circumstances prohibit an employee from picking up his/her check (i.e. illness, relocation), the employee must provide a written release authorizing another person to receive the check or authorizing the Human Resources Office to mail the check to a specified address.

(See also Policy No. 1201 - Termination of Employment Procedures)

III. HANDLING PAYCHECK EXCEPTIONS

- A. **Incorrect Paycheck**
Employees are responsible for notifying their supervisor upon receipt of an incorrect paycheck. Failure of an employee to call the incorrect paycheck to the attention of the supervisor, and failure to return the incorrect check the same day, will delay the correction process until the next payroll period. Requests to correct a paycheck must be submitted to the Human Resources Office.
- B. **Lost or Stolen Paycheck**
Employees are responsible for notifying their supervisor of a lost or stolen paycheck. A written request to reissue an employee's paycheck which is lost or stolen must be submitted to the Director of Personnel or his/her representative by the employee's immediate supervisor. A paycheck cannot be reissued until the Director of Personnel or his/her representative confirms from the bank that the lost or stolen paycheck has not cleared the bank and the stop payment order is in effect. This may cause a delay in reissuing the check because this process may take up to three working days.

POLICY & PROCEDURE MANUAL

**Section: Compensation Plan
Policy: Pay Plan System and
Structure
Policy No: 602
Effective: June 2007
Revised: December 2015**

PAY PLAN SYSTEM AND STRUCTURE (FT, PT, T/S)

I. PROGRAM GOAL

To compensate all employees in direct relation to the value of their position to the market as determined by the competitive market rate; and, to compensate employees based upon individual performance as determined by the success of their contributions to the City.

II. PROGRAM OBJECTIVES

The City of Lake Jackson Classification and Compensation Program shall seek:

- A. To recognize employees for individual performance by rewarding quality performance and improving poor performance.
- B. To responsibly administer compensation dollars by providing a City-wide uniform, systematic and organized approach to salary administration.
- C. To equitably compensate employees based upon the market value of a position and the type of work performed.
- D. To attract, retain and motivate competent employees by maintaining competitive compensation rates.
- D. To plan and control compensation costs given changing economic conditions.

III. EQUAL EMPLOYMENT OPPORTUNITY AND NON-DISCRIMINATION

The Classification and Compensation Program of the City of Lake Jackson shall be implemented and administered without regard to any individual's race, color, national origin, religion, age, sex, or disability status.

IV. JOB FAMILIES

All positions belong to one of the following job families as determined by general duties and responsibilities.

Non-Exempt

Service/Maintenance

Office/Clerical

Technical

Sworn Personnel

Temporary/Seasonal

Exempt

Professional

Management/Supervision

Director

V. MARKET SURVEY AND ESTABLISHMENT OF COMPETITIVE RATE

In establishing the performance pay plan, market surveys may be conducted by the Personnel Office to establish competitive rates and a salary range for each position to the extent possible given budget limitations. Positions which have no reasonable market match may be analyzed by benchmarks within the respective job family and classification. The competitive rate may establish the salary range by defining the minimum, midpoint and maximum.

VI. JOB DESCRIPTIONS

Each position shall have a corresponding job description which outlines reporting relationship, essential job functions, principal responsibilities, typical decisions, and minimum qualifications. Job descriptions shall be prepared in standard format by the Department Director and approved by the Personnel Director and shall be reviewed from time to time by the employee and management.

VII. REVIEW OF SALARY PROPOSAL BY CITY COUNCIL

The City Council shall review the City Manager's salary proposal and make any adjustments it deems necessary. The City Manager will then incorporate this salary budget into the total City budget, which will then be submitted to the City Council for approval as established in the Lake Jackson City Charter.

POLICY & PROCEDURE MANUAL

Section: Compensation Plan
Policy: Payroll Deductions
Policy No: 603
Effective: June 2007
Revised: December 2015

PAYROLL DEDUCTIONS (FT, PT)

The City of Lake Jackson's guideline on payroll deductions is to limit deductions to mandatory deductions or specific approved voluntary contributions. Payroll deductions for the City may be divided into two categories:

- 1) mandatory - The mandatory category may include taxes, retirement, and court ordered garnishment of wages.
- 2) employee authorized - The employee-authorized category may include City sponsored insurance premiums, dependent coverage, credit union shares or payments, United Way contributions, extra federal income tax withholdings, flexible spending (Section 125) installments or other authorized deductions.

No deductions from pay will be made without the written authorization of the employee. If an employee desires to cancel deductions from payroll, or change the number of dependents for any purpose, the Human Resources Office must be contacted and appropriate forms completed to properly execute this transaction. Please note, however, that deductions for City sponsored insurance premiums may be changed only during open enrollment as conducted annually, unless there is a change in family status (e.g.. legal marital status, dependents, spouse layoff, etc.).

Requests for payroll deductions not listed above will be reviewed on a case-by-case basis and must be approved by the City Manager and/or his designee.

POLICY & PROCEDURE MANUAL

Section: Compensation Plan
Policy: Overtime
Policy No: 604
Effective: January 2007
Revised: November 2006

OVERTIME (FT, PT, T/S)

The City of Lake Jackson requires employees to work overtime when necessary and as requested by the supervisor. Overtime is defined as authorized time worked which exceeds 40 hours per work week. Employees who work overtime without authorization from their immediate supervisor will be subject to disciplinary action. Overtime on any job shall be allocated as evenly as possible among all employees qualified to do the job. Supervisors shall make every effort to schedule overtime as far in advance as possible. Supervisors shall be held responsible for ensuring that overtime is assigned only when absolutely necessary. Overtime, for non-exempt employees only, may be paid subject to the requirements of the Fair Labor Standards Act, 29 U.S.C. 201 et seq., as the same may be amended from time to time. Overtime may not be taken as compensatory time. Exempt / non-exempt status of all City positions shall be defined by the City's classification / compensation system.

I. OVERTIME PAY

- A. Non-exempt employees will be paid at the rate of one and one-half times their regular rate of pay for authorized overtime. Overtime will be paid for all additional time worked to the nearest quarter hour.
- B. Regular part-time employees and seasonal / temporary employees will not receive overtime pay until the number of hours actually worked exceeds 40 hours per work week.
- C. Sick leave and vacation leave are not considered actual time worked and are not included in computing hours for overtime purposes. Holiday leave (and leave entitlement taken in lieu of holiday time for authorized employees) is considered actual time worked when computing overtime.
- D. Exempt employees are not eligible for overtime pay. These employees will sometimes be required to work more than the normal 40-hour week without additional compensation due to the nature of their job duties. Supervisors of exempt positions will determine occasional discretionary time off, based on work load, for hours worked in excess of 40 hours per week. This however,

should not be equated to compensatory time and will only be permitted at the discretion of the supervisor.

Discretionary time is defined as flexible time off which is approved by the immediate supervisor and does not equal or exceed the number of extra hours worked. Discretionary time is not traded or accumulated based on extra hours worked. As an exempt employee there is no additional compensation for hours worked in excess of 40 hours, whether monetary or time off.

II. ADMINISTRATIVE PROCEDURE

- A. Prior to working any overtime, employees must check with their supervisors to make sure overtime is or will be authorized.
- B. Work performed by an employee other than normal working hours will not be considered payable overtime unless authorized by the appropriate supervisor in writing. (For example: work during meal times, after normal working hours, or work taken home.)
- C. Exempt employees in the Professional, Management/Supervision, and Director job families are “Salaried” under FLSA rules and will receive only their regular rate of pay as provided in the annual budget.

POLICY & PROCEDURE MANUAL

Section: Compensation Plan
Policy: Longevity Pay
Policy No: 605
Effective: June 2007
Revised: November 2006, May 2017

LONGEVITY PAY (FT)

The City of Lake Jackson provides longevity pay to all sworn police officers of the Police & Fire Marshal Departments in recognition of the value of long-term service with the City. Sworn police officers shall include police command staff (Chief, Captain and Lieutenants) in addition to patrol officers, patrol sergeants, detective sergeants, fire marshal, and assistant fire marshal. Longevity pay will be accrued at a rate of \$4.00 per month per year for each consecutive year of service, payable each month in two installments (the first two paycheck distribution dates of each month) on the regular paycheck. Eligibility for longevity pay commences after one year of service.

POLICY & PROCEDURE MANUAL

Section: Compensation Plan
Policy: Longevity Pay
Policy No: 606
Effective: June 2007
Revised: November 2006

REGULAR PART-TIME EMPLOYEES (FT, PT, T/S)

The City of Lake Jackson allows an employee to have two part-time positions with the City at the same time as long as the scheduled hours of work are not in conflict. The status of an employee with two part-time positions will remain part-time. No part-time employee is eligible for benefits, except as noted below.

I. DEFINITION

Regular part-time employees may be defined as employees who are budgeted to work less than forty (40) hours per week.

II. BENEFITS

Regular part-time employees may receive benefits pursuant to the following:

1. Sick Leave: 4 hours/month
2. Personal Leave 4 hours/month
3. No Retirement
4. No Health / Dental

III. PRIMARY EMPLOYER

A. The position to which the part-time employee is hired in first (and the director of same department in which the position is located) is considered the primary employer. Regular part-time employees may apply for a second part-time position within the City only with a recommendation of the primary employer (respective department director). The primary employer will be responsible for maintaining all records for the regular part-time employee.

1. Status Sheets - pay records
2. Payroll Time Worksheets and pay checks
3. Allocation and transfer of charges

- B. The secondary employer must coordinate rate of pay, hours of work, and any other relevant information with the primary employer.
- C. Overtime worked will be paid when the combined hours worked exceed forty (40) hours per week. The primary and secondary employer will pay for actual hours worked and the employer(s) causing the total hours to go over forty (40) hours per week will pay overtime. The decision as to who pays if the employee works more than forty (40) hours per week depends on:
 - 1. If one position required the overtime causing the total hours to go over forty (40) hours per week, then that position pays.
 - 2. If both positions required equal amount of overtime causing the total hours to go over forty (40) hours per week, then it is divided evenly.
 - 3. If one position required less than its budgeted hours (usually 20) and the other position required more than its budgeted hours plus overtime, then the position requiring the extra hours pays for actual plus overtime for total hours over forty (40).

POLICY & PROCEDURE MANUAL

Section: Compensation Plan
Policy: Emergency / Natural
Disaster Pay Policy –
Guidelines
Policy No: 607
Effective: March 2009
Revised: New

EMERGENCY / NATURAL DISASTER PAY POLICY / GUIDELINES (FT, PT, T/S)

PURPOSE

This policy applies to all non-exempt and exempt employees, including temporary/seasonal employees, and is intended to outline instructions for employees to follow when a state of emergency is imminent or has been declared by the City Manager and/or Mayor. This policy recognizes that some emergencies will provide no advanced warning.

GENERAL POLICY

The citizens of the City of Lake Jackson depend on City employees before, during, and after an emergency or disaster, to provide and/or restore essential public services for the health, safety, and quality of life for the community.

In the event of a large scale emergency that could impact our community, all employees must be ready to assist in managing the crisis. Some employees are designated as **essential** for the continuity of governmental operations. In a large scale emergency, City employees will be required to fulfill their individual responsibilities and function as a team to protect the City's vital assets, and maintain and restore essential City services. While the Fire, Police, and EMS typically provide emergency services, other City departments may also be called upon to participate in response efforts.

No one is excused from work until the City Manager, through each department head, authorizes employees to leave, even if a public announcement of office closures or suspension of services is issued. In addition, employees must return to work as soon as an emergency is over to participate in the Post Impact/Recovery Period. Employees authorized to leave work during a declared emergency due to closed facilities will be on emergency paid administrative leave.

Emergency paid administrative leave will start when the employee is dismissed by the City Manager through each department head, and will continue until the City Manager declares it safe for all employees to return to work. Employees are expected to contact City Hall and/or their

immediate supervisor on a regular basis and return to work when the return to work order is given by the City Manager and/or the Mayor, but no longer than 24 hours from the time of the order to return. If an employee fails to show up for work or cannot show up for other reasons, then the time lost will be Leave Without Pay, unless other paid leave (sick or vacation) is approved by the department head.

The City of Lake Jackson recognizes that employees have personal and family responsibilities that may conflict with the obligation to fulfill their job requirements during hazardous weather or state of local emergency. When evacuation of personal residences is required, employees will be permitted and expected to make arrangements for their families like any other citizen, including the use of authorized shelters. Employees who are not able to return to work due to emergency conditions (for instance, they have evacuated the area and are unable to return, or they are unable to leave their residence to return to work at City facilities due to impassable roadways, etc.), must contact their department head or designated supervisor as soon as possible and utilize appropriate leave time.

During a state of emergency, any unauthorized absence from work or assignment may be considered sufficient cause for discharge.

EMERGENCY PERIODS

- A. Pre-Impact Period This is the time prior to the impending emergency/disaster period, and includes emergency response activities and preventive measures by the City of Lake Jackson's departments in preparing for the impending emergency. This period begins when the City Emergency Operations Center or the City Manager declares an emergency is imminent.
- B. Emergency Period This is the time during which emergency response activities and/or restoration of critical services are conducted to protect life and property, and most other regular City services are suspended. This period begins when the City is closed for **normal** business and ends when the City Manager declares it safe for all employees to return to work.
- C. Emergency Period – Emergency Operations Center (EOC) This is the time during which emergency response activities and/or restoration of critical services and all regular City services are suspended. This period begins when the City Manager designates **emergency essential personnel** to take shelter in the city's Emergency Operations Center (EOC) and ends when the City Manager declares it safe for all employees to return to work.
- D. Post Impact/Recovery Period This is that period of time during which activities are conducted to restore the City's infrastructure and services to pre-disaster conditions. This period begins when the City Manager declares it safe for all employees to return to work and ends when he/she declares the period is over.

EMPLOYEE STATUS

Prior to a declaration of an emergency, department heads shall designate “emergency essential personnel” and “emergency non-essential personnel” by position. This designation shall be documented by Human Resources in the official job description. All personnel shall be advised of their status by January 2nd of each year, and/or at the time of hire. Individual employee status may change, as the needs of the City change during the emergency/ disaster, or at the discretion of the department head.

- A. “Emergency Non-Essential” – Following a needs assessment, some employees may be temporarily dismissed from work, concurrently or successively, as determined by the emergency need and the department or function. These employees are designated as “Emergency Non-Essential”. These employees will be placed on emergency paid Administrative Leave pursuant to this policy.

- B. “Emergency Essential” – Each department head is responsible for identifying those employees who will be designated as “Emergency Essential”. “Emergency Essential” employees may be required to remain available immediately before, during, and/or after the emergency/disaster condition to perform duties directly related to the emergency conditions, as determined by the City. Notwithstanding, an “Emergency Essential” employee will be allowed reasonable emergency paid administrative leave to secure the employee’s home and family and attend to immediate personal needs resulting from the emergency. Typically, “Emergency Essential” personnel are First Responders (Firefighters, Police Officers, and Public Works and Emergency Medical Services). Also included are other specialized emergency personnel such as EOC personnel, Public Safety Dispatch Personnel, and employees with Emergency Plan Responsibilities.

- C. “Post-Impact/Recovery Assigned” – Following the event, all City of Lake Jackson employees are considered Post-Impact/Recovery assigned employees. All City employees are to return to work after the City Manager declares it safe to do so. After the return to work order, some employees may be further identified as “Essential Recovery”, while others may be temporarily excused from work. The City Manager and each department or function is responsible for identifying those employees who are essential to the quick restoration of critical services to the community.

Employees designated as “Essential Recovery” are required to work during periods after the emergency when other employees may be dismissed on leave or furlough. Notwithstanding, an “Essential Recovery” employee will be allowed reasonable emergency paid administrative leave to secure the employee’s home and family and attend to immediate personal needs resulting from the emergency.

- D. Emergency Duty Assignment – In the event of an emergency, the City Manager may assign employees to any duty, to the extent that the City is not in violation of any State or Federal Law. This includes employees of one department serving in an emergency capacity for any other department or function as assigned.

COMPENSATION FOR HOURS WORKED DURING A DECLARED STATE OF EMERGENCY

The City of Lake Jackson has the authority to require as many employees as necessary to either remain at work (held over), or be on emergency standby.

During the Emergency Period, “emergency non-essential” employees who are released from their normal workday by the City Manager/department head, and are not required to report back to work due to the emergency event shall receive regular pay for their normally scheduled workday. These hours shall not count as “time worked” for the purposes of calculating overtime that may be earned elsewhere in that week. These hours shall be recorded on the employee’s time with appropriate coding, as designated by the Payroll Department, to reflect emergency administrative leave.

During the declared Emergency Period “emergency essential” personnel who are non-exempt (hourly, overtime eligible) and are authorized to perform work for the benefit of the city, including the period “emergency essential” personnel spend waiting in a declared area for the emergency to run its course, shall be paid at a rate of one and one-half times (1.5x) the base straight pay for normally scheduled hours, and one and one-half times (1.5x) for all hours worked outside their regular scheduled work hours during the declared emergency conditions, when other employees are allowed administrative leave. When the City Manager declares that it is safe for all employees to return to work these employees will be paid according to the normal pay policy.

During the declared Emergency Period and Post Impact/Recovery period, “emergency essential” exempt employees shall be compensated by receiving their regular pay and/or compensatory time (hour for hour) for all hours worked in excess of their normal work hours during the declared emergency/disaster and Impact/Recovery period. The rate of pay for such additional hours worked shall be equivalent to the exempt employee’s hourly rate. Each department will provide the appropriate documents to record their hours worked.

ADDITIONAL COMPENSATION INFORMATION

Employees who are required to be on 24 hour stand-by status during an emergency situation, such as a hurricane, will be paid their regular hourly rate for each stand-by hour. Stand-by hours do not count toward hours worked and will not contribute toward overtime premium hours. An employee on stand-by called in to work will be paid their regular hourly salary and those hours worked will count toward overtime premium hours according to FLSA rules.

Employees who are required to drive an evacuation bus shall be paid their regular hourly rate for the time actually spent driving the bus. These hours will count toward overtime premium hours according to FLSA rules. Time not spent driving, while they are at the evacuation center shall be paid as stand-by hours and these hours will not count toward overtime premium hours.

Employees who are sent on special assignments, such as evacuating equipment and/or setting up and staffing an alternate emergency operations center, will be paid their regular hourly salary for actual hours driving and/or working which will count toward overtime premium hours. All other

hours while on special assignment will be paid as stand-by hours and these hours will not count toward overtime premium hours.

Employees who are required to stay during a hurricane will receive “hazard pay”. Hazard pay will be in effect during the mandatory evacuation period or until all employees are ordered to report for duty following the storms passing. Hazard pay is the employee’s regular hourly rate up to 12 hours per day for hours worked during any day.

Stand-by pay and hazard pay are only provided during an actual emergency, such as a hurricane, and is allocated at the discretion of the City Manager.

Employees released to evacuate the area will be paid emergency leave as determined by the City Manager. Generally this will be 8 hours. These hours will not contribute toward overtime premium hours.

When the return to work order is given to all employees – employees must return to the city within the time frame ordered, but in no case longer than 24 hours from the time of the order to return. Employees not back by the time required will be placed on leave without pay and will be subject to disciplinary action up to and including termination.

Once the order to return is given employees will be placed on scheduled shifts. At that time all stand-by and hazard pay will cease, unless an exception is granted by the City Manager.

Employees who are out on prior-approved leave, or who call in sick, or who take an unscheduled designated holiday during any of the three periods will continue to be charged for such leave.

All other policies concerning remuneration shall comply with the City of Lake Jackson’s Employee Handbook and Safety Manual and the Fair Labor Standard Act (FLSA).

Responsibilities

Supervisors and/or Department Heads

- Hold training with all employees regarding emergency operations procedures prior to May 31 each year.
- Assign personnel to be consistent with designated responsibilities.
- Assess all approved vacation leave requests and advise employees of their responsibilities and when they need to be at work.
- Allow employees to secure their homes and families to prepare them to seek shelter or to evacuate when approved by the department head.
- Provide list of Essential Personnel to Human Resources and Emergency Management prior to May 31 each year.

POLICY & PROCEDURE MANUAL

Section: Employee Benefits and Services
Policy: Holidays
Policy No: 701
Effective: January 2007
Revised: December 2015, August 2023

HOLIDAYS (FT, PT, T/S)

- I. The following holidays are declared official holidays for city employees:

January	New Year's Day
January	Martin Luther King Day
February	Presidents' Day (may be traded for Christmas Eve or the Day after Christmas)
Easter Season	Good Friday
4 th Monday in May	Memorial Day
June 19 th	Juneteenth
July 4	Independence Day
1 st Monday in Sept.	Labor Day
4 th Thursday in November	Thanksgiving Day
4 th Friday in November	Day After Thanksgiving
December 25 th	Christmas Day

- A. The above official holidays are declared for regular full-time employees and supervisors. Regular full-time employees are given the holiday off with pay, regular part-time employees, scheduled to work on the holiday, are given the holiday off in ratio to scheduled hours earned, temporary employees are given the holiday off without pay.
- B. When a holiday appears on a Saturday, it is observed on Friday before that Saturday. If it appears on Sunday, it is observed on the following Monday.

- C. Employees may trade holidays by request through the City Manager and subsequent recommendation and approval of the City Council.
- D. An employee absent without leave on the working day immediately preceding or following a holiday loses pay for the holiday as well as for the other day or days off.

II. LEAVE ENTITLEMENT AS ALTERNATIVES

- A. Regular full-time employees who are required to work on a holiday because of their work schedules, as required by specific job (police officers and others as authorized by the City Manager), will be alternatively granted eleven (11) days leave entitlement in addition to their Personal Leave.
- B. This leave entitlement must be taken as follows:
 - 4 days between January 1 to April 30
 - 4 days between May 1 to August 31 and
 - 3 days between September 1 to December 31
- C. If the employee fails to take the leave entitlement between the above scheduled times, the employee will lose the right to take the leave entitlement.
- D. A request to take a specific leave entitlement will be submitted in writing to the employee's supervisor for approval.
- E. In the event the City Council declares a special holiday, it is observed as provided above.
- F. Specific departmental regulations as approved by the City Manager may overrule this practice.

Employees (Emergency Essential and Emergency Non-Essential)

- Maintain an up-to-date Employee ID Badge and carry it at all times while on duty, during a period of emergency preparedness, or during an evacuation to help facilitate their return to work.
- Contact their department head or immediate supervisor, immediately upon knowledge of a wide spread emergency in the community, understanding that any pre-approved leave may be subject to postponement or cancellation.
- Call City Hall and/or check the City's website for up-to-date information on work hours if the supervisor isn't available.
- Ensure that emergency contact information supplied to supervisor is up-dated so that employee can be contacted when away from work.
- Ensure that the safety and security of the employee's family is met.

Human Resources

- Provide supervisor/department heads with current emergency information for all employees to verify.

At the department head's discretion, previously approved leave, vacation, etc., may be canceled when a state of emergency is imminent or declared. Failure to return to work upon notice, either written or verbal, that the previously approved leave is being canceled, will be deemed an unauthorized absence from work or assignment which may be sufficient cause for termination.

POLICY & PROCEDURE MANUAL

Section: Employee Benefits and Services
Policy: Personal Leave
Policy No: 702
Effective: June 2007
Revised: November 2006, April 2017, December 2018

PERSONAL LEAVE (FT, T/S)

I. ACCRUALS

Regular full time employees initially earn Personal Leave at the rate of one (1) working day per month (12 per year). Temporary employees do not earn Personal Leave benefits.

For the purpose of this policy one (1) working day is eight (8) hours.

The first earned Personal Leave day will be determined by the date of regular employment. When an employee begins service on or after the 16th day of the month, the first Personal Leave day will not be earned until the close of the next calendar month. For example, an employee who began work on May 12 would earn their first Personal Leave day on May 31. An employee who began work on May 20 would not earn their first Personal Leave day until June 30.

Example: Employment date: May 12th First Personal Leave day earned: May 31
 Employment date: May 20th First Personal Leave day earned: June 30

An eligibility (waiting) period of six (6) months from the date of employment must transpire before Personal Leave may be used. At that time, an employee may take those days earned through monthly accrual.

II. ACCRUAL TABLES

In order to encourage employees to continue to work for the City, all regular full-time employees will earn an extra day of Personal Leave, according to the following schedule, after completing at least five (5) years of service, earning up to a maximum of twenty (20) days of Personal Leave after 20 years of service.

Years Service	Annual Days	Annual Hours	Monthly Rate	Maximum Balance
1 - 5	12	96	8.00	176
6	13	104	8.66	184
7	14	112	9.33	192
8	15	120	10.00	200
9	16	128	10.66	208
10	17	136	11.33	216
*11 - 19	18	144	12.00	224
*20	20	160	13.33	240
*25	20	160	13.33	280
*30 +	20	160	13.33	320

* Employees that have more than specified maximum balance of personal leave hours in their bank must bring their bank into compliance by December 31, 2020 or will forfeit any hours over the maximum balance.

III. SCHEDULING

Employees requesting Personal Leave must complete and submit a written request form to their supervisor. A minimum of a full day's notice must be given for a half day or one day Personal Leave, maximum notice possible (not less than one week) should be given for a leave request of several days. Submitting a request form does not obligate the supervisor to grant the request. Requests for Personal Leave without proper notice being given may be granted as leave without pay. Supervisors should schedule Personal Leave giving consideration to the ability of the remaining staff to perform the work of the department. It is the supervisor's responsibility to organize and grant Personal Leave and other leave requests in a manner which will not adversely affect the operation of their department. Official holidays occurring during a Personal Leave are not charged against Personal Leave time used. Personal Leave may be taken in one hour increments. The City Manager, with the recommendation of the department head, must approve Personal Leave used between December 15th and January 1st.

Directors may implement their departmental policy scheduling Personal Leave with approval from the City Manager.

IV. SELL BACK

An employee may "sell back" up to six (6) days of Personal Leave annually to the City upon approval of the Department Director and the City Manager. The employee must take off at least six (6) days of Personal Leave each year before he or she may receive in pay for up to six (6) days of his or her earned Personal Leave during a calendar year.

V. REGULAR PART-TIME EMPLOYEES

Regular part time (RPT) employees who work more than twenty (20) hours a week on a regular basis, earn Personal Leave hours at a rate of four (4) hours per month, maximum of six (6) days Personal Leave annually. RPT employees must have been with the City for a period of six (6) months before they are eligible for Personal Leave. RPT employees may not accumulate or sell back unused Personal Leave to the City. RPT employees must "use them or lose them". RPT employees who work on the average of less than twenty (20) hours a week are not eligible for Personal Leave benefits.

VI. TEMPORARY EMPLOYEES ARE NOT ELIGIBLE FOR PERSONAL LEAVE BENEFITS

VII. TERMINATION

An employee who leaves the City's employ after the 15th day of any month will have earned a Personal Leave day for that month. Upon termination, pay will be received for all unused Personal Leave days earned for each month of employment up to the date of termination. This provision is not applicable to employee's terminating prior to six full months employment or employees who fail to give proper two-week notification in writing to their supervisor.

VIII. EXCEPTIONS

In rare or extenuating circumstances, variations to all or part of this guideline maybe granted by the City Manager, upon recommendation by the department director. (e.g. City Manager approval is required to sell back more than 6 days Personal Leave.)

At the discretion of the City Manager a new hire in a director level position with substantial previous municipal experience may start at any level approved by the City Manager and will have the first year's accrual available immediately.

POLICY & PROCEDURE MANUAL

Section: Employee Benefits and Services
Policy: Tuition Reimbursement
Policy No: 703
Effective: June 2007
Revised: June 2023

TUITION REIMBURSEMENT (FT)

Regular full-time employees desiring to continue their education may submit to their department supervisors a proposal for special instruction which will improve the employee's job-related skills. If the department supervisor and the City Manager approve the proposal, the employee is reimbursed 100% of tuition and fees at the completion of each course at the end of each semester, provided the employee receives a grade of "C" or better. Tuition rates and fees are calculated using Texas in-state public institution rates & fees. (e.g. University of Houston, Brazosport Community College, etc.)

Employees receiving tuition assistance who fail to voluntarily remain with the City for two (2) years after completion of each course, must refund the costs of such assistance to the City within three months of voluntary or involuntary termination.

Prior to receiving any tuition reimbursement at the end of each semester the employee must provide written authorization to withhold tuition reimbursements from their final paycheck should the employee terminate prior to the expiration of two (2) years after course completion.

Employees must have been employed with the City of Lake Jackson for a minimum of one year. If selected for the tuition reimbursement the employee must maintain a minimum balance of 48 hours of personal leave. Employees may obtain applications for tuition reimbursement from the Personnel Department. The Application for Tuition Reimbursement will be completed by the employee and submitted to the Department Director for approval and then to the City Manager. Applicants will be notified regarding course approval within thirty (30) days.

A course schedule and a paid receipt, showing the name and course number of classes, days and times of classes, and an itemized listing of tuition and fees for those classes must be submitted for reimbursement. Only the amount actually paid by the employee will be reimbursed. No reimbursements will be made without a paid, stamped receipt from the college or university.

Availability of tuition reimbursement funds is dependent upon budget considerations.

POLICY & PROCEDURE MANUAL

Section: Employee Benefits and Services
Policy: Employee Assistance Program
Policy No: 704
Effective: January 2007
Revised: November 2006

EMPLOYEE ASSISTANCE PROGRAM (FT)

It is the practice of the City of Lake Jackson to provide counseling, resources assistance, and other support to employees, who may be experiencing on- or off-the-job, personal difficulties that may be affecting their work performance, work productivity, or ability adversely. It is recognized that problems not directly related to an employee's job duties and responsibilities can have a negative effect on that person's job performance. In some situations neither the efforts of the employee nor the supervisor have the desired effect of resolving the employee's performance problem or unsatisfactory performance. This situation could persist over a period of time, either constantly or intermittently. In those cases, it is the purpose of the Employee Assistance Program to provide counseling and assistance to help the employee resolve their problem.

It is the goal of the City of Lake Jackson to assist employees in seeking recourse to deal constructively with personal or behavioral problems that have or could adversely affect job performance or job productivity. This applies whether the problem is one of physical illness, mental or emotional distress, marital or family discord, alcoholism, drug use or abuse / addiction, legal matters, financial difficulties, or other concerns.

The Employee Assistance Program is available to all regular full-time and part-time employees.

I. GENERAL

The purpose of the Employee Assistance Program is to assist employees to identify on- or off-the-job personal or behavioral problems that are adversely impacting their work performance, work productivity, or ability; to identify and locate appropriate medical, emotional, physical, financial, legal, or other appropriate resources; and to assist the employee in dealing with the problem in a constructive fashion for a long-term positive solution to the problem.

In most cases, the employee will overcome such personal problems independently and the impact on the job will be negligible. In other instances, normal supervisory assistance may serve either as motivation or guidance by which such problems can be resolved so that the employee's job performance will return to an acceptable level.

- A. Referral
When an adverse behavioral problem or unusual job performance problem arises, the employee may be referred to the program by his / her supervisor. Employees may independently seek assistance without supervisory referral.
- B. Confidentiality
Employees seeking assistance through the Employee Assistance Program are assured that reasonable efforts will be made to provide services within strict principles of confidentiality.
- The official personnel record of an employee will not include information concerning an employee's personal or behavioral problem except as it might apply to specific behaviors that relate to job performance and / or disciplinary actions because of violations of City policies, procedures, rules, etc. All EAP records will be kept under separate security arrangements in the Personnel Department and separate from the employee's official personnel files. The City will comply with all applicable federal, state, and local laws regarding the release of records.
- C. Use of Personal Leave, Sick Leave, and Other Leaves of Absence An employee participating in the EAP may request the use of any accrued sick leave or personal leave to continue receiving pay and benefits while involved in a program. Employees who have insufficient accruals of sick leave or personal leave may request a leave of absence without pay. The use of personal leave, sick leave, or a leave without pay will be granted in accordance with established guideline giving consideration to the nature of the request and the needs of the department and City organization. It is the employee's responsibility during a leave without pay to pay any life, health, and disability insurance premiums or other deductions that normally are deducted from the employee's paycheck during participation in the EAP.
- D. Job Performance/Disciplinary Action
Participation in an EAP Program will not substitute for improved job performance, job productivity, ability, or meeting established job standards defined by the department. Should an employee's performance remain at an unacceptable level or not improve within the time frames established by the supervisor, an employee may still be subject to disciplinary action up to and including termination. PARTICIPATION IN THE EMPLOYEE ASSISTANCE PROGRAM DOES NOT ALTER THE EMPLOYMENT-AT-WILL POLICY. EACH EMPLOYEE AND THE CITY RETAIN THE RIGHT TO TERMINATE EMPLOYMENT AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT NOTICE OR CAUSE.
- E. Consideration for Other Employment Opportunities
The fact that an employee is participating in an EAP Program will not be used as a factor in a decision to deny a promotional opportunity. However, continued employment or promotional consideration will be dependent upon current

satisfactory performance in the current position and the established qualifications and selection criteria being used as the basis for a promotional position. Employees participating in an EAP Program may compete for open positions based upon their qualifications for the position, without consideration, either favorable or unfavorable, as a result of involvement in the EAP Program.

II. PROCEDURES AND GUIDELINES IN USING THE EMPLOYEE ASSISTANCE PROGRAM

- A. To request assistance, an employee or supervisor may telephone or visit the City's Personnel Office or Personnel Director.

- B. Supervisors should use the EAP to assist and motivate the employee to take corrective action for an on- or off-the-job personal problem that is affecting job performance, job productivity, or ability adversely. Since variations in job performance, absenteeism, or tardiness are more apparent than their causes, the role of the supervisor is to identify the specific job performance problem(s) only and not diagnose their personal problem(s) of the employee. It is very important for the supervisor to document the specific behavior the employee is demonstrating (i.e., difficulty in motor functions, slurred speech, stumbling, glassy eyes, odor on the breath, patterns or absenteeism or tardiness, specific job related inability to meet established performance standards, etc.).

POLICY & PROCEDURE MANUAL

Section: Employee Benefits and Services
Policy: City Health / Dental Plan
Policy No: 705
Effective: June 2007
Revised: November 2006

CITY HEALTH / DENTAL PLAN (FT)

I. CITY HEALTH PLAN

Although subject to change, the City currently provides a medical insurance plan for every regular full-time employee and his or her family. Although the responsibility for coverage payments under the plan may change, the City currently pays for the employee's coverage, while the employee pays for covering his or her family. Plan coverage may vary from year to year. For full details on this plan, the employee should consult the special pamphlet provided by the insurance company, or contact the Personnel Office.

II. DENTAL INSURANCE

Although subject to change, the City currently provides a dental plan for every regular full-time employee and his or her family. Although the responsibility for coverage payments under the plan may change, the City currently pays for the employee's coverage, while the employee pays for covering his or her family. Plan coverage may vary from year to year. For full details on this plan, the employee should consult the special pamphlet provided by the insurance company, or contact the Personnel Office.

POLICY & PROCEDURE MANUAL

Section: Employee Benefits and
Services
Policy: Social Security
Policy No: 706
Effective: June 2007
Revised: November 2006

SOCIAL SECURITY (FT, PT, T/S)

The City jointly participates with the employee in FICA (Social Security) - one-half of the cost to be borne by the employee and one-half by the City. FICA rates may vary from year to year. Contact the Personnel Office for information concerning current rates.

POLICY & PROCEDURE MANUAL

Section: Employee Benefits and Services
Policy: Retirement
Policy No: 707
Effective: January 2007
Revised: December 2015

RETIREMENT (FT, PT)

TEXAS MUNICIPAL RETIREMENT SYSTEM (TMRS)

I. APPLICABILITY

All regular full-time employees, who are eligible, ~~may~~ must participate in the Texas Municipal Retirement System. In addition, all regular part-time employees who work at least 1000 hours a year are eligible.

II. CONTRIBUTION

The City of Lake Jackson contributes jointly with the employees to the employee's retirement account. If financially feasible, the City will match the employee's contribution 2:1 and automatically update service credits based upon the last three years of service.

III. VESTING

The City provides five (5) year vesting, which means an employee who completes five (5) years of service to the City and then terminates employment with the City (without withdrawing his/her deposits) becomes entitled to service retirement at age 60. An employee can retire at any age after 20 years of credited service.

IV. WITHDRAWAL

If an employee leaves the employment of the City before retirement, all of their own contributions, plus interest, will be refunded, at the employee's request. The only exception would be voluntary transfer of service and retirement benefit to another community which participates in TMRS or other authorized plan. For current details on this plan, contact the Personnel Office.

POLICY & PROCEDURE MANUAL

Section: Employee Benefits and Services
Policy: Life / Accidental Death Insurance
Policy No: 708
Effective: June 2007
Revised: November 2006

LIFE / ACCIDENTAL DEATH INSURANCE & LTD (FT, PT)

I. LIFE INSURANCE

At the will of the City and if financially feasible, the City covers each regular full-time employee and regular part-time employee who works over 20 hours per week with life insurance in the amount equal to his / her annual salary up to a maximum coverage of \$25,000. In other words, if you earn \$10,000/year with the City, the City will cover you with \$10,000 worth of life insurance at no cost to you.

II. ACCIDENTAL DEATH OR DISMEMBERMENT INSURANCE

At the will of the City and if financially feasible, the City covers each regular full-time employee with Accidental Death and Dismemberment Insurance in an amount equal to his / her annual salary up to a maximum coverage of \$25,000. In other words, if you are killed or maimed in an accident, and you are making \$10,000/year, your dependents would receive \$10,000 if you are killed, or in case of a non-fatal accident, you will receive a portion of that \$10,000 depending on the extent of your injuries.

III. LONG-TERM DISABILITY INSURANCE

At the will of the City and if financially feasible, the City covers each regular full-time employee with Long-Term Disability Insurance. This insurance policy provides income replacement benefits when an employee becomes disabled. Long term disability monthly benefits will be paid according to the terms of the insurance policy. For full details, the employee should contact the Personnel Office.

POLICY & PROCEDURE MANUAL

Section: Employee Benefits and Services
Policy: Uniforms
Policy No: 709
Effective: June 2007
Revised: November 2006

UNIFORMS (FT, PT, T/S)

At the will of the City and if financially feasible, the City furnishes uniforms or makes allowances for regular full and part-time employees who must wear uniforms in the performance of their duties.

I. REPLACEMENT

The recommendation to replace any uniform item shall come through the respective departmental supervisor to the person assigned as the uniform coordinator.

- A. Uniforms will be replaced at the cost of the City under normal wear and tear conditions.
- B. Uniforms which are damaged due to careless or negligent action on part of the employee may be the responsibility of the employee to replace at his / her cost.

II. GUIDELINES FOR PROFESSIONAL APPEARANCE FOR UNIFORMED PERSONNEL

Appropriate wearing of uniforms to display a professional appearance is expected of all field personnel. The city expects employees to maintain a neat, well-groomed appearance as appropriate for the type of work being done. Basic personal hygiene (such as changing and laundering your clothes and/or uniform, bathing, using deodorant, using oral hygiene products, washing and grooming hair, etc.) is also expected of each employee.

- A. Personnel issued uniforms are required to wear them when they report for work, except in situations such as emergency call-out. Uniforms are the property of the City and are to be returned upon termination of employment. Hats worn must be city-issued (uniform or special issue).
- B. Uniform shirttails are to be tucked in at the waist anytime the uniform is worn even if the employee is off duty.

- C. Only the top shirt button may be unbuttoned.
- D. Short sleeves are not to be rolled or hiked up. Long sleeves may be rolled neatly and no higher than the elbow.
- E. Hats are not to be worn backwards.
- F. Hair longer than shoulder length should be pulled back.
- G. No visible jewelry except for watches, stud earrings and wedding bands.
- H. The wearing of earrings or piercing jewelry outside of the ear is prohibited.
- I. No pins, decals, patches, etc... on uniforms or hats unless city issued.
- J. No wrinkled uniforms.
- K. Men should avoid stubble, either shave daily or maintain an established beard or mustache.
- L. Temporary employees and new hires shall wear city issued coveralls over their street clothes.
- M. Employees may purchase and wear on Friday's department approved polo shirts. Any shirt considered for approval will be city colors and have city logo and employee name.
- N. Other shirts worn with the uniform must be worn underneath the uniform shirt.
- O. Uniforms are to be worn to and from work. Uniforms are not to be worn to eat dinner with family, at drinking establishments, etc. Only incidental use to and from work is allowed.
- P. Rules apply anytime the uniform is worn even if the employee is off duty.
- Q. Discretion is provided to each supervisor to allow them to develop more stringent guidelines within their department.

III. WEARING OF COLD WEATHER CLOTHING

- A. During cold weather, employees who are issued City uniforms may wear coats, jackets, bib overalls or coveralls that are the following colors: dark green, dark blue, brown,

dark brown or tan. Camouflage or hunters orange is not permitted. Wool caps that are either dark green, brown or black may be worn in place of or in addition to City issued hats.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct For
Employee
Policy: Conflict of Interest
Policy No: 801
Effective: June 2007
Revised: November 2006

CONFLICT OF INTEREST (FT, PT, T/S)

The proper operation of democratic government requires that employees be independent, impartial, and responsible to the people; that government decisions and policy be made within the proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, a code of ethics for all city employees is adopted. The purpose of this code is to establish guidelines for ethical standards of conduct for all such employees by setting forth those acts or actions that are incompatible with the best interests of the city and by directing disclosure by such employees of private financial or other interests in matters affecting the city.

I. DEFINITIONS

- A. “Business entity” means any corporation, general or limited partnership, sole proprietorship (including a private consultant operation) joint venture, unincorporated association of firm, institution, trust, foundation, or other organization, whether or not organized for profit.
- B. “Confidential information” means all information, whether transmitted orally or in writing, which is of such a nature that it is not, at that time, a matter of public record or public knowledge.
- C. “Gift” means anything of economic value, regardless of the form, without adequate and lawful consideration. It does not include the solicitation, acceptance, receipt, or regulation of political campaign contributions regulated in accordance with provisions of federal, state, or local laws governing campaign finances.
- D. “Interest” means direct or indirect pecuniary or material benefit accruing to an employee as a result of a contract, transaction, or other matter which is or may be the subject of an official act or action by or with the city except for such contracts, transactions, or other matters which by their terms and by the substance of their provisions confer the opportunity and right to realize the

accrual of similar benefits to all other persons and/or property similarly situated. For purposes of this policy, an employee shall be deemed to have an interest in the affairs of:

1. the employee's spouse or dependent children;
 2. any person or business entity with whom a contractual relationship exists with the employee;
 3. any business entity in which the employee is an officer, director, member, or employee; and
 4. any business entity in which the employee controls or owns, directly or indirectly.
- E. "Official act or action" means any legislative, administrative, appointive or discretionary act of any employee of the city.
- F. "Public employee" means any person, holding a position by appointment or employment in the service of the municipality, whether paid or unpaid.

II. CONFLICTS OF INTEREST

- A. Interest in contract, transaction, or other matter. No employee having the power or duty to perform an official act or action, related to a contract, transaction, or other matter which is or may be the subject of an official act or action of the city, shall:
1. have or thereafter acquire an interest in such contract, transaction, or other matter, except as otherwise stated in this policy, or
 2. have an interest in any business entity representing, advising, or appearing on behalf of, whether paid or unpaid, any person involved in such contract, transaction, or other matter, except as otherwise stated in this policy; and
 3. have solicited or accepted present or future employment with a person or business entity involved in such contract, transaction, or other matter for a period of 12 months following the city's action on the contract, transaction, or other matter, or
 4. have solicited, accepted, or granted a present or future gift, favor, service, or thing of value from or to a person involved in such contract, transaction, or other matter, except as provided in subsection (j) of this Section.

- B. Pre-acquisition of interest. No employee shall acquire an interest in, or an interest affected by, any contract, transaction, or other matter at a time when such employee believes or has reason to believe the interest will be directly or indirectly affected by an official act or action of the city.
- C. Appearances. No employee shall appear on behalf of any private person, other than himself or herself, his or her spouse, or minor children, before any city agency or municipal court.
- D. Disclosure of Interest in Legislative Action.
 - 1. Any officer or employee who has a financial or personal interest in any proposed legislative action of the council and who participates in discussion with or gives an official opinion or recommendation to the council, shall disclose on the record of the council the nature and extent of such interest.
- E. Public contracts. Notwithstanding the prohibitions in subsection (a) of this Section, an employee may enter into any contract with the city if:
 - 1. the contract is awarded through a process of public notice and competitive bidding, and
 - 2. the contract is with a division or agency over which the officer or employee has no functions requiring the exercise of discretion.
- F. Disclosure of confidential information. No employee, with respect to any contract, transaction, or other matter which is or may be the subject of an official act or action of the city, shall, without proper legal authorization, disclose affairs of the city, or use such information to advance the financial or other private interest of the employee or others.
- G. Incompatible service. No employee shall engage in or accept private employment or render service, for private interest, when such employment or service is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of his or her official duties, unless otherwise permitted by law and unless disclosure is made as provided in this policy.
- H. Public property. No employee shall request or permit the unauthorized use of city-owned vehicles, equipment, materials or property for personal convenience or profit.
- I. Special treatment. No employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

J. Inapplicability of Gifts Prohibition. The prohibition against gifts or favor in subsection (a) (4) of this Section shall not apply to (See also - Acceptance of Gifts.):

1. an occasional non-monetary gift, or
2. a non-monetary award publicly presented in recognition of public service; or
3. gifts from family members.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for Employees
Policy: Outside Employment
Policy No: 802
Effective: June 2007
Revised: November 2006

OUTSIDE EMPLOYMENT (FT, PT)

An employee of the City of Lake Jackson is not permitted to engage in outside employment where such employment would bring the City into disrepute, reflect discredit upon the employee as an employee of the City, interfere with the performance of the employee's regular city duties, necessitate long hours that may impact the employee's working effectiveness, present a conflict of interest or raise other ethics concern, result in misuse of city property or funds, or result in use of the city position for personal gain.

Employees that are contemplating outside employment are required to submit a written request for approval in advance of accepting outside employment, and in each case, approval by the department supervisor, director, and city manager must be received in writing before the employee accepts outside employment. The written request should identify the secondary employer, the nature of the duties to be performed, and the anticipated hours the employee will be working. A copy of the request for approval and a copy of any written approvals for outside employment will be placed in the employee's personnel file.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for
Employees
Policy: Meal / Break Times
Policy No: 803
Effective: June 2007
Revised: November 2006

MEAL / BREAK TIMES (FT, PT, T/S)

I. LUNCH PERIODS

A one hour unpaid lunch period is allowed during an eight hour work shift as work schedules permit. Employees are expected and/or required to take their scheduled meal periods and to leave their duty station to do so. Lunch time will be arranged so that customer service is always available. Lunch time may not be substituted for time off work unless special authorization is granted by the respective department director. Office personnel may not consume food in view of public. Employees working shift work may be subject to alternative lunch schedules. It is the employee's responsibility to return on time.

II. BREAKS

Breaks shall be considered a privilege and not a right and shall be permitted if workloads permit. No more than two (2) 15-minute breaks per day are allowed, one in the morning, one in the afternoon. During summer, field personnel may alternatively take more frequent breaks up to the same total time period as stated above (15 minutes in the morning and 15 minutes in the afternoon). Breaks are to be taken around the workload so as to maximize productivity.

Office personnel will take breaks away from the work area. No food is to be consumed in view of public. Field personnel will take breaks on job site or city operated facility.

Break practices not permitted:

- A. Combining two or more breaks into one thirty (30) - minute break.
- B. Dividing one break into several smaller breaks except as stated above.
- C. "Banking" break period time from day to day.
- D. Saving break time to extend lunch period or shorten shift.

It is the employee's responsibility to return on time.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for Employees
Policy: Use of Smoking & Smokeless Tobacco
Policy No: 804
Effective: June 2007
Revised: November 2006

USE OF SMOKING AND SMOKELESS TOBACCO (FT, PT, T/S)

I. USE OF SMOKING AND SMOKELESS TOBACCO

In an effort to meet the needs of smokers and non-smokers, and to provide a pleasant and productive working atmosphere for all employees, the use of smoking and smokeless tobacco shall be confined to designated areas as determined by the principal facility department director. Department directors may also prohibit the use of smoking and smokeless tobacco in any area under his or her supervision.

A. In General - The following guidelines shall be followed:

1. Smoking is prohibited in all enclosed City facilities.
2. Smoking is prohibited within 15 feet from doors and operable windows.
3. No use of smoking tobacco shall be allowed in fueling areas for vehicles or during the fueling of vehicles and equipment in the field.
4. Areas where the use of smoking and smokeless tobacco is permitted shall be maintained in a clean and sanitary condition. The accumulation of cigarette butts shall be controlled, and supervisors responsible for those areas where the use of tobacco is allowed shall insure that clean and sanitary conditions are maintained.
5. Employees using smokeless tobacco shall not spit their waste in areas where other employees may walk or work.

B. City Vehicles - the use of smoking and smokeless tobacco shall be permitted in city vehicles if the following guidelines are met:

1. No wastes from the use of smoking and smokeless tobacco shall be discarded or expectorated from city vehicles. Smokers shall use

ashtrays, and users of smokeless tobacco shall provide such containers necessary to properly contain wastes produced from using smokeless tobacco.

2. When more than one person is riding in a city vehicle, all employees must agree to allow the use of smoking and smokeless tobacco by any individual(s). Whenever a mutual agreement concerning the use of smoking and smokeless tobacco cannot be reached, the preference of the non-user of tobacco shall be considered controlling.
3. All vehicle ashtrays or containers holding smokeless tobacco wastes shall be emptied at the end of each shift whenever the vehicle is to be subsequently used by another city employee.

POLICY & PROCEDURE MANUAL

**Section: Standards of Conduct for
Employees**
Policy: Carrying a Weapon
Policy No: 805.5
Effective: December 2015
Revised: NEW

CARRYING A WEAPON (FT, PT, T/S)

Employees shall not carry a weapon or ammunition, including handguns, on city property unless carrying the weapon is part of the employee's job duties. Employees who hold a license to carry a handgun under Ch. 411 of the Texas Government Code may keep the handgun and ammunition locked in their privately owned vehicle.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for Employees
Policy: Gambling
Policy No: 805
Effective: June 2007
Revised: November 2006

GAMBLING (FT, PT, T/S)

An employee shall not engage or participate in gambling in any form while on duty, or in a city uniform, or while in any municipal facility or in violation of any law or regulation. The following are some gambling activities are prohibited by State Law. This list is not inclusive.

I. A PERSON COMMITS AN OFFENSE IF HE

- A. Makes a bet on the partial or final result of a game or contest or on the performance of a particular participant in a game or contest;
- B. Makes a bet on the result of any political nomination, appointment, or election or on the degree of success of any nominee, appointee, or candidate;
or
- C. Plays and bets for money or other thing of value at any game played with cards, dice, balls, or any other gambling device.

An offense under this section is a Class C misdemeanor.

II. A PERSON COMMITS AN OFFENSE IF HE

- A. With intent to further gambling ... possesses gambling paraphernalia (wagering pools, lotteries not authorized by the State).

An offense under this section is a Class A misdemeanor.

POLICY & PROCEDURE MANUAL

Section: **Standards of Conduct for
Employees**
Policy: **Use of City Vehicles /
Equipment**
Policy No: **806**
Effective: **June 2007**
Revised: **November 2006**

USE OF CITY VEHICLES / EQUIPMENT (FT, PT)

I. USE OF CITY VEHICLES

- A. Only supervisors or employees on emergency call are eligible to take vehicles to and from home.
- B. Other employees may take a vehicle home only with permission of the City Manager.
- C. Vehicles are to be used for City business. Employees assigned to take home vehicles may be permitted to use said vehicle for incidental and periodic personal use during working hours. Regular personal use is prohibited. Police and fire personnel may be subject to alternative departmental guideline.
- D. Employees assigned vehicles must use discretion, which would not reflect negatively on the City's image.
- E. Any employee that damages a vehicle through his/her negligence may be subject to disciplinary action.

II. USE OF CITY EQUIPMENT

- A. The use of equipment by a city employee will be limited and its use will be governed, controlled, and approved by the employee's supervisor.
- B. Any employee that damages or breaks City equipment through his/her negligence may be subject to disciplinary action.

POLICY & PROCEDURE MANUAL

**Section: Standards of Conduct for
Employees**
Policy: Whistle Blower Act
Policy No: 807
Effective: June 27
Revised: November 2006

WHISTLE BLOWER ACT (FT, PT, T/S)

The City of Lake Jackson complies with the State of Texas Whistle Blower Act and all other laws regulating the conduct of public employees. The City's Problem Solving Guideline - 1302 encourages employees to report any alleged infraction without fear of retaliation.

The State Law provides that a state or local government body may not suspend or terminate the employment of, or otherwise discriminate against, a public employee who reports a violation of law to an appropriate law enforcement authority if the employee report is made in good faith. Law is defined as a state or federal statute, an ordinance passed by a local governmental body, or a rule adopted under a statute or an ordinance.

DRESS CODE / PERSONAL APPEARANCE (FT, PT, TIS)

Appropriate dress is expected for all personnel. Neatness is essential to a professional appearance. The City expects all employees to maintain a neat, well-groomed appearance at all times. Basic personal hygiene is also expected of each employee.

Employees should dress in business casual attire, which would include knee-length or longer dresses, slacks and skirts, as well as collared shirts, blouses, and sweaters. City logo tops are permitted as well. Examples of inappropriate attire include sportswear, jeans, and unkempt clothing. Leggings or similar style pants may be worn with tops that fall anywhere below the mid-thigh. Visible attire, accessories, body modifications (including piercings and tattoos) and hair should be professional and not distracting in nature. Please exercise good judgment.

Any complaints, questions or concerns regarding this Dress Code should be taken directly to the employee's supervisor, Department Head or the Personnel Director. If necessary and/or requested, it may be brought to the City Manager. The City Manager has final decision on all Dress Code concerns or violations.

Casual Fridays

Not Mandatory. Jeans, denim skirts and denim dresses may be worn on Casual Fridays. If jeans are worn, only shirts with the City logo or tops that meet business casual standards are allowed. Jeans may not have holes or be excessively worn. For special events, the City Manager may approve different shirts such as sports teams or Festival of Lights shirts.

Department Modifications

With City Manager approval, Department Heads may develop a uniform policy or other appropriate dress guidelines for their department as long as the uniform or guidelines adhere to the intent and spirit of this Dress Code.

Exceptions

If an exception needs to be made for religious, medical, or other reasons, a written request with an explanation shall be given to the employee's immediate supervisor. All decisions on granting or denying the waiver shall be made by the City Manager.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for Employees
Policy: Sexual Harassment
Policy No: 809
Effective: June 2007
Revised: November 2006

SEXUAL HARASSMENT (FT, PT, T/S)

The City of Lake Jackson strives to maintain a workplace that fosters mutual employee respect and promotes harmonious, productive working relationships. The City believes that discrimination and/or harassment in any form constitutes misconduct that undermines the integrity of the employment relationship. Therefore, the City prohibits discrimination and/or harassment that is sexual, racial, or religious in nature or is related to anyone's gender, national origin, age, sexual orientation, or disability. This policy applies to all employees throughout the agency and all individuals who may have contact with any employee of this agency.

The City of Lake Jackson will maintain a work place free of sexual harassment.

- I. The Equal Employment Opportunity Commission has defined sexual harassment as follows:

Unwelcome sexual advances, request for sexual favor, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

II. **ADMINISTRATIVE PROCEDURES**

- A. Each supervisor is responsible for maintaining his or her work place free of harassment. This duty includes discussing and enforcing this guideline and

procedure with all employees and assuring them that they are not required to endure insulting, degrading or exploitative treatment.

- B. Any employee who feels that he or she has been the victim of harassment should immediately report the facts of the incident or incidents and the names of the individuals involved to his or her supervisor and/or the Director of Personnel or designee in writing. Should the immediate supervisor be an offending party, the employee has the option of reporting the alleged act to the next level of management or the Director of Personnel or designee. In situations where the employee is not comfortable reporting the allegation to his/her immediate supervisor or the next level of management, he/she has the option to report only to the City Manager or designee. The Director of Personnel and the supervisor are mutually responsible for notifying each other when an allegation is reported.
- C. The Personnel Director or designee must investigate all allegations of harassment immediately. All findings, decisions, and recommendations will be made on an individual basis considering the record as a whole on the totality of the circumstances, such as the nature of the behavior and the contexts in which the alleged incidents occurred. If harassment is found to exist, appropriate management and supervisory personnel shall take prompt corrective action. Anytime that sexual harassment becomes an issue of an alleged act of sexual assault, the investigation must be coordinated with the City of Lake Jackson Police Department.
- D. Appropriate disciplinary action should be taken when the findings warrant such action. Such disciplinary action should be determined by the nature of the wrongful act or acts and may result in immediate dismissal.
- E. Allegations of harassment shall be dealt with in as confidential a manner as possible, and breaches of confidence may result in disciplinary actions. The employee making a good faith report of harassment will not be retaliated against in any way because of such a report. Based on the findings of the investigation, the City will take prompt action to remedy any circumstances of harassment.

If an employee feels that his/her complaint has not been or cannot be properly handled, he/she may forward the complaint to the City Manager.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for Employees
Policy: Other Harassment
Policy No: 810
Effective: June 2007
Revised: November 2006

OTHER HARASSMENT (FT, PT, T/S)

The City of Lake Jackson will maintain a work place free of religious or ethnic/racial harassment.

- I. Religious/Ethnic/Racial Harassment - Religious slurs or jokes, and other verbal or physical conduct relating to an individual's religious beliefs constitute harassment when the conduct:
 - A. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or
 - B. Has the purpose or effect of interfering with an individual's work performance; or
 - C. Adversely affects an individual's employment opportunities.

Ethnic or racial slurs or jokes, and other verbal or physical conduct relating to an individual's national origin or race constitute harassment when this conduct:

- A. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or
- B. Has the purpose or effect of interfering with an individual's work performance; or
- C. Adversely affects an individual's employment opportunities.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for
Employees
Policy: Substance / Drug Abuse
Policy No: 811
Effective: January 2007
Revised: December 2015

SUBSTANCE / DRUG ABUSE (FT, PT, T/S)

The City is responsible for providing a safe, healthy and productive work environment for all employees and the public it serves. The City expects all employees to report for work fit for duty and free from the influences of drug use. It is generally accepted that the abuse of drugs is not compatible with a productive and safe workplace. Any employee who violates this policy is subject to corrective action up to, and including termination of employment. Employees with positive test results who exercise their rights to subsequent analysis and the results are still confirmed positive by the Medical Review Officer (MRO), will be terminated barring any extenuating circumstances.

I. GENERAL POLICY PROVISIONS

The City of Lake Jackson prohibits the following relative to all employees and contractors:

- A. Use, possession, manufacture, sale or distribution of illegal drugs, controlled substances or drug paraphernalia on city property or city business, in city supplied vehicles, or during working hours.
- B. Use, possession, manufacture, sale or distribution of illegal drugs or controlled substances off-premises that may adversely affect work performance, safety, or the city's reputation.
- C. Employees taking over-the-counter medication or prescribed drugs that could pose a danger or affect judgment without informing his/her supervisor of the use.
- D. Criminal drug activity, which may result in an arrest and/or conviction of a criminal drug statute, law or regulation on or off city premises.
- E. Use of prescription drugs without the permission of a physician.

Inspections

When reasonable suspicion exists to believe that an employee or contractor is violating the provisions of this policy, the City reserves the right to inspect all employee or contractor work areas, which could include city vehicles, desks, lockers, and any personal items brought onto city premises including personal vehicles.

Refusal to Allow Inspection or Drug Test

Any employee refusing to submit to a required drug test or inspection under any of the sections of this policy shall be removed from his/her position and be subject to discipline up to and including termination. Employees notified of selection will be required to report within 30 minutes (to include travel time) to the appropriate collection site for testing. If unable to provide 45 milliliters of urine, instructions will be given to consume not more than 24 ounces of fluids and after a period of up to two hours, again attempt to provide a complete sample. If the employee is still unable to provide an adequate specimen, management will be notified. In cases of medical difficulty, the Medical Review Officer will develop pertinent information concerning whether the individual's inability to provide a sample is genuine or constitutes a refusal to test.

Violation of Policy Provision

Any violation of the provisions of the City's Substance Abuse Policy by an employee will result in disciplinary action up to and including termination. Any violation of the provisions of the City Substance Abuse Policy by a contractor or contract employee will result in the immediate removal from the work site.

Failure of a Drug Screen

Any employee testing positive for a prohibited substance will be removed from his/her position, and will be subject to discipline up to and including termination. An employee may request in writing that a subsequent analysis be performed on the original urine specimen within 72 hours of notification of the positive result. The employee will be responsible for any cost associated with subsequent testing that he/she has requested.

Rehabilitation

An employee seeking rehabilitation for the first time, may be offered a one time opportunity of rehabilitation at the discretion of the City Manager. If offered, rehabilitation may be covered by the city's medical plan and the employee will be responsible for any required deductibles and co-payments. Upon acceptance of the offer of rehabilitation the employee must adhere to the requirements of the rehabilitation program. Any failure to adhere will result in discipline up to and including termination.

Self-referral by employees is strongly encouraged. The earlier a problem is addressed, the easier it is to deal with and the higher the success rate. While self referral in itself, does not preclude the city's use of disciplinary actions, the supervisor may allow time for completion of participation in an EAP directed program before initiating or determining additional corrective actions.

EAP related activities, such as referral appointments, will be treated on the same basis as other personal business or health matters with regard to use of personal or sick leave.

Notification

All City employees will 1) abide by the terms of this policy, and 2) notify the city of any arrest for violation of any criminal drug law or regulation occurring in or outside the workplace immediately. Any failure to notify the city of an arrest or conviction will result in discipline up to and including termination. This does not infer a contract, nor change at-will status.

Confidentiality

Individual expectations of privacy and confidentiality must be carefully considered in establishing a record retention program. With the exception of the testing laboratory, MRO (Medical Review Officer) and designated city representatives with the need to know, the results of individual drug tests may not be released to anyone without the express written authorization of the tested individual.

Definitions

- A. Safety Sensitive Employee - A person holding a Commercial Drivers License (CDL) who drives city vehicles with a gross weight rating or gross combination weight rating of 26,000 or more pounds, or vehicle issued in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the Secretary under the Hazardous Material Transportation Act. For the purposes of DOT testing, “employee” includes an applicant for employment.
- B. Use of Prohibited Substances - Testing positive for an unauthorized drug or drug metabolite in the urine or blood at or above a specified ng/ml level as listed below:
- C. City Premises - Any city owned, operated, leased or otherwise controlled land, buildings or vehicles or on any site of city operations.
- D. Drug Testing Procedures - All collection, transportation, testing procedures, test evaluation measures, quality control measures applicable to laboratories, record keeping and reporting of urine samples will conform to Health and Human Services Mandatory Guidelines for Federal Workplace Programs, 49 CFR Part 40.

Drug or Drug Class	Screening Method	Screening Level *	Confirmation Method	Confirmation Level **
Amphetamines	EMIT	1,000	GC/MS	500 ng/ml
Cannabinoid 50	EMIT	50 ng/ml	GC/MS	10 ng/ml
Cocaine Metabolite	EMIT	300 ng/ml	GC/MS	150 ng/ml
Opiates	EMIT	300	GC/MS	300 ng/ml
Phencyclidine	EMIT	25ng/ml	GC/MS	25 ng/ml
Barbiturates	EMIT	200	GC/MS	200 ng/ml
Benzodiazepines	EMIT	200	GC/MS	200 ng/ml
Methadone	EMIT	300	GC/MS	200 ng/ml
Methaqualone	EMIT	300	GC/MS	200 ng/ml
Propoxyphene	EMIT	300	GC/MS	200 ng/ml

EMIT = Enzyme Multiplied Immunoassay Techniques
GC/MS = Gas Chromatography/Mass Spectrometry
ng/ml = nanograms/milliliter

* The EMIT screening level refers to the concentration of the specific member of the drug class used to calibrate and define the minimum positive screening test.

**The confirmation level is the minimum level of drug that will be reported as positive.

Drug screening levels and drug confirmation levels are subject to change without notice if the Department of Transportation adopts stricter levels for testing requirements. DOT testing measures at the time of employee testing shall be the rule.

II. DRUG TESTING PROVISIONS FOR NON-SAFETY SENSITIVE EMPLOYEES

The following are drug testing provisions of the City which affect employees not considered safety sensitive under the U.S. Department of Transportation's Anti-Drug Regulation. The following drug tests are required under the authority of the City of Lake Jackson.

- A. Pre-Employment Drug Testing - All applicants receiving job offers are subject to testing for prohibitive substances during the pre-employment physical.
- B. Post-Accident Testing - Any employee whose performance either contributed to an accident, or cannot be completely discounted as a contributing factor to an accident will be tested for prohibitive substances within 8 hours of the event. (See Policy No. 1508)

- C. Reasonable Suspicion Testing - The City of Lake Jackson may require a current employee to undergo drug testing if there is reasonable suspicion that the employee is or has been under the influence of drugs during work hours. “Reasonable Suspicion” means a belief based on specific facts and reasonable inferences drawn from those facts that an employee is or has been under the influence of drugs and may require the employee to submit a urine sample for drug testing. Supervisors will be trained to recognize the effects of drug use. Before a reasonable suspicion test is administered, two supervisors must substantiate and concur in the decision to test. Normally the two supervisors are in the employee’s chain of command; however, if that is not reasonably available, another supervisor may be consulted. The supervisor must drive the employee to the collection site.
- D. Failure or Refusal to Submit to Post Accident Testing or Reasonable Suspicion Testing – Once an employee is ordered to be tested, the employee shall immediately report for testing, if physically possible. If an employee fails to or refuses to be tested under the provisions of this policy or any other policy, the employee shall be terminated.
- B. Return-to-Duty Testing - An employee testing positive for a prohibitive substance or seeking rehabilitation for the first time, may be returned to his/her position only after having successfully completed a rehabilitation program, passed a return-to-duty drug test and upon approval by the City Manager. Any failed drug screen subsequent to completion of rehabilitation will result in immediate termination.
- F. Post-Rehabilitation Drug Testing - All employees referred through administrative channels who undergo a counseling or rehabilitation program for drug use through the EAP will be subject to unannounced random testing following completion of such a program for a period of one (1) year. Any failed drug screen subsequent to completion of rehabilitation will result in immediate termination.

III. DRUG TESTING PROVISIONS FOR EMPLOYEES IN SAFETY SENSITIVE POSITIONS

The following drug testing provisions have been adopted in order to comply with Department of Transportation Federal Highway Administration’s (FHWA) rule regarding controlled testing, 49 CFR Parts 391 and 394.

- A. Pre-Assignment Testing - Applicants for or transfers to safety-sensitive positions must pass a test for prohibited substances as a condition of assignment.
- B. Post-Accident Testing - Any employee whose performance either contributed to an accident, or cannot be completely discounted as a contributing factor to

an accident will be tested for prohibitive substances within 32 hours of the event.

- C. Random Testing - Employees in safety sensitive positions will be subject at any time to testing for prohibited substances on a random basis. The City will test the percentage of drivers that is required by the Department of Transportation (DOT). Violations will be handled as stated in the above “Violations of this Policy”.
- D. Reasonable Suspicion Testing - The City of Lake Jackson may require a current employee to undergo drug testing if there is reasonable suspicion that the employee is or has been under the influence of drugs during work hours. “Reasonable Suspicion” means a belief based on specific facts and reasonable inferences drawn from those facts that an employee is or has been under the influence of drugs and may require the employee to submit a urine sample for drug testing. Supervisors will be trained to recognize the effects of drug use. Before a reasonable suspicion test is administered, two supervisors must substantiate and concur in the decision to test. Normally the two supervisors are in the employee’s chain of command; however, if that is not reasonably available, another supervisor may be consulted. The supervisor must drive the employee to the collection site.
- D. Failure or Refusal to Submit to Post Accident Testing or Reasonable Suspicion Testing – Once an employee is ordered to be tested, the employee shall immediately report for testing, if physically possible. If an employee fails to or refuses to be tested under the provisions of this policy or any other policy, the employee shall be terminated.
- E. Return-to-Duty Testing - An employee testing positive for a prohibitive substance or seeking rehabilitation for the first time, may be returned to his/her position only after having successfully completed a rehabilitation program, passed a return-to-duty drug test and upon approval by the City Manager. Any failed drug screen subsequent to completion of rehabilitation will result in immediate termination.
- F. Post-Rehabilitation Drug Test - All employees referred through administrative channels who undergo a counseling or rehabilitation program for drug use through the EAP will be subject to unannounced random testing following completion of such program for a period of one (1) year. There shall be at least six unannounced test within the first 12 months following a drivers return to duty. Such testing is distinct from testing which may be imposed as a component of the EAP.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for Employees
Policy: Alcohol Abuse
Policy No: 812
Effective: June 2007
Revised: December 2015

ALCOHOL ABUSE (FT, PT, T/S)

The City is responsible for providing a safe, healthy and productive work environment for all employees and the public it serves. The City expects all employees to report for work fit for duty and free from the influences of drug and/or alcohol use. It is generally accepted that the abuse of alcohol is not compatible with a productive and safe workplace. Any employee who violates this policy is subject to corrective action up to, and including termination of employment. Employees with positive test results who exercise their rights to subsequent analysis and the results are still confirmed positive by the Medical Review Officer (MRO), will be terminated barring any extenuating circumstances.

The City of Lake Jackson prohibits the following as it relates to all employees and contractors:

I. GENERAL POLICY PROVISIONS

- A. Alcohol and Alcohol Use - Alcohol is defined as the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl or isopropyl alcohol. Alcohol use is defined as the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.
- B. Alcohol Concentration - Employees may not report for duty or remain on duty while having an alcohol concentration of 0.01 or greater.
- C. Pre-Duty Use - Employees may not report to duty within four hours after consuming alcohol. On-call employees who are not at work, but could be called to perform safety sensitive functions, are considered to be on duty.
- D. Use After an Accident - Any employee whose performance either contributed to an accident, or cannot be completely discounted as a contributing factor to an accident may not use alcohol for eight hours after the accident unless they have been given a post-accident alcohol test.

Inspections

When reasonable suspicion exists to believe that an employee or contractor is violating the provisions of this policy, the city reserves the right to inspect all employee or contractor work areas, which could include city vehicles, desks, lockers, and any personal items brought onto city premises including personal vehicles.

Refusal to Allow Inspection or Alcohol Test

Any employee refusing to submit to a required alcohol test or inspection under any of the sections of this policy will be removed from his or her position and be subject to discipline up to and including termination. Employees notified of selection will be required to report within 30 minutes (to include travel time) to the appropriate collection site for testing.

Violation of Policy Provision

Any violation of the provisions of the City's Alcohol Abuse Policy by an employee will result in disciplinary action up to and including termination. Any violation of the provisions of the City Alcohol Abuse Policy by a contractor or contract employee will result in the immediate removal from the work site.

Failure of an Alcohol Test

Any employee testing positive for alcohol will be removed from his or her position until the start of the employee's next regularly scheduled duty period. The employee will be provided referral for assistance through the Employee Assistance Program (EAP), and will be subject to discipline up to and including termination.

Notification

All City employees will 1) abide by the terms of this policy, and 2) notify the city of any arrest for violation of any alcohol law or regulation occurring in or outside the workplace immediately. Any failure to notify the city of an arrest or conviction will result in discipline up to and including termination. This does not infer a contract, nor change of at-will status.

Confidentiality

Individual expectations of privacy and confidentiality must be carefully considered in establishing a record retention program. With the exception of the testing laboratory, MRO (Medical Review Officer) and designated city representatives with the need to know, the results of individual alcohol tests may not be released to anyone without the express written authorization of the tested individual.

Circumstances that Require Testing

- A. Post Accident - As soon as practicable (ideally within two hours), but not later than eight hours after an accident, each covered employee will be alcohol tested if that employee's performance either contributed to the accident or cannot be discounted as a contributing factor to the accident. Attempts to conduct post-accident alcohol testing will cease eight hours after the accident, even if no alcohol test has been conducted. Employees should refrain from consuming alcohol for eight hours following an accident unless

1) the employee has been alcohol tested or 2) the employee's performance can be discounted as a contributing factor to the accident. (See Policy No. 1508)

- B. Reasonable Suspicion - An employee must submit to an alcohol test if the City has determined that reasonable suspicion of alcohol use on the job exists. This determination must be based on a trained supervisor's specific observations concerning the appearance, behavior, speech or body odors of the employee. A supervisor who identifies an employee for a reasonable suspicion test cannot conduct the alcohol test on that employee.
- C. Failure or Refusal to Submit to Post Accident Testing or Reasonable Suspicion Testing – Once an employee is ordered to be tested, the employee shall immediately report for testing, if physically possible. If an employee fails to or refuses to be tested under the provisions of this policy or any other policy, the employee shall be terminated.
- D. Return to Duty Post Accident - Before an employee in a safety sensitive position can return to duty, he or she must undergo a return-to-duty test.
- E. Follow-Up - All employees who have been identified by a Substance Abuse Professional (SAP) as needing assistance in resolving a problem with alcohol misuse and who have returned to duty will be subject to follow-up testing. Follow-up test will be unannounced and at least six tests will be conducted in the first 12 months after the employee is back on the job. Follow-up testing may continue for up to 60 months.
- F. Random Testing (pertains to CDL Drivers Only) - In accordance with the Department of Transportation's Omnibus Employee Testing Act of 1991, unannounced testing must be completed on a certain number of drivers each year. The City will test the percentage of drivers that is required by the Department of Transportation (DOT). Drivers must be tested just before, during, or immediately after performing a safety-sensitive function.

Procedures for Alcohol Testing

All testing procedures, test evaluation measures, quality control measures applicable to laboratories, record keeping and reporting of breath alcohol tests will conform to the Federal Highway Administration (FHWA) regulations, Sec. 382.305 requiring employers to test for alcohol in accordance with the procedures set forth in 49 CFR Part 40.

Preparation for Breath Alcohol Testing

The employee will be notified by their supervisor that they are being subject to alcohol testing (random, post-accident, reasonable suspicion, etc.). Upon entering the alcohol testing location, the Breath Alcohol Technician (BAT) will require the employee to provide positive identification (photo I.D. or identification by a City representative). On request, the BAT will provide positive identification to the employee. The BAT will explain the testing procedures to the employee.

- A. Screening Testing - Refusal by an employee to sign a certification at any time requested by a BAT will result in disciplinary action up to and including termination.
- B. Confirmation Testing - If the result of the screening test is an alcohol concentration of 0.01 or greater, a confirmation test will be performed.
- C. Employee Records - Employee records pertaining to alcohol testing will be maintained in a secure location with controlled access in the Personnel Office. These records will be promptly released to the employee, or a person identified by the employee (including subsequent employers), upon written request of the employee. These records will be released to the Secretary of Transportation upon request of DOT or FHWA. In a post-accident situation, these records will be released to the National Transportation Safety Board when requested as part of an accident investigation.

Consequences for Violating Policy

Any employee who registers on a confirmation test an alcohol concentration of 0.01 on any test administered by or for the City of Lake Jackson will be handled in the following manner.

- A. Any employee testing positive for an alcohol concentration of 0.01 will be removed from his/her position, provided referral for assistance through the Employee Assistance Program (EAP), and will be subject to discipline up to and including termination.
- B. Self-referral by employees is strongly encouraged. The earlier a problem is addressed, the easier it is to deal with and the higher the success rate. While self-referral in itself does not preclude the city's use of corrective actions, the supervisor may allow time for completion of participation in an EAP-directed program before initiating or determining additional corrective actions. EAP-related activities, such as referral appointments, will be treated on the same basis as other personal business or health matters with regards to use of vacation or sick leave.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for Employees
Policy: Investigation and Inspection
Policy No: 813
Effective: June 2007
Revised: November 2006

INVESTIGATION AND INSPECTION (FT, PT, T/S)

The City of Lake Jackson has an interest in ensuring that the day-to-day operations of the City are carried out in an effective, efficient, and safe manner. The consequences of employee misconduct or incompetence may be severe both to the City and the public interest. To this end, City facilities, offices and equipment are provided to employees for the sole purpose of facilitating the work of the City and as such, are subject to investigation and inspection for evidence of work-related misconduct. **HOWEVER, A SEARCH IN ITSELF, IS NOT A CHARGE OF MISCONDUCT.** The term “investigation and inspection” includes City owned vehicles, lockers, desks, cabinets, and other containers. Employee owned items, such as purses and briefcases are not included. This guideline does not include or pertain to the suspected use or possession of drugs at work. For suspected use or possession of drugs in the workplace see Drug and Alcohol Abuse Guidelines - 811 & 812.

A supervisor may inspect City equipment if:

- A. There are reasonable grounds for suspecting that the search will uncover evidence that the employee is guilty of work-related misconduct;
- B. The inspection is necessary for non-investigatory purposes, such as to retrieve a needed file;
- C. The inspection is conducted as part of an inventorying program;
- D. The inspection is conducted pursuant to the Drug and Alcohol Abuse Guidelines - 811 & 812.

City equipment is subject to such an inspection even if the employee has placed a personal owned lock on City property.

I. ADMINISTRATIVE PROCEDURES

- A. Supervisory personnel are required to have access to all City equipment or facilities within their areas of supervisory responsibilities in order to ensure that services are provided to citizens in a timely and quality manner.
- B. A supervisor may conduct an investigation or inspection for evidence of work-related misconduct if:
 - 1. He has notified the Department Director; and,
 - 2. He has offered the employee an opportunity to be present during the investigation or inspection. The supervisor shall document the reasonable suspicions relied upon, the date of approval of the Department Director, the notification of the employee, the time of the search and the results of the search.
- C. Supervisors must keep a list of all City equipment, lockers, drawer, cabinets, facilities, containers, or vehicles that have locks installed by employees.
- D. Each employee shall seek and obtain the approval of his or her supervisor before installing a lock or any device that would hinder easy access to City facilities, containers, or vehicles. Supervisors must be supplied with a key and/or combination to any employee owned lock or locking devise.
- E. An inspection or investigation, which reveals confirmed misconduct, may result in corrective action, including termination. The Department Director and the City Manager must first approve any corrective action. If such confirmed misconduct involves criminal activity such as theft or malfeasance, the City Manager will request the involvement of law enforcement officials through Police Department command staff for the purpose of conducting a full investigation.

POLICY & PROCEDURE MANUAL

**Section: Standards of Conduct for
Employees**
Policy: Working Relationships
Policy No: 814
Effective: June 2007
Revised: November 2006

WORKING RELATIONSHIPS (FT, PT, T/S)

It is the duty of each employee to maintain high standards of cooperation, efficiency and economy in his/her work for the City. Supervisors organize and direct the work of their units to achieve these objectives. When work habits, production or personal conduct of an employee falls below standard, supervisors should point out the deficiencies in performance at the time they are observed. (See also Problem Solving - 1302)

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for
Employees
Policy: Physical Fitness
Policy No: 815
Effective: June 2007
Revised: November 2006

PHYSICAL FITNESS (FT, PT)

To ensure that an employee is capable of performing the essential functions of a job, a Department Head/Supervisor, with approval from the City Manager, may require a current employee to undergo a medical or other appropriate examination.

The purpose of the medical examination is to ensure that an employee can perform the essential functions of the job for which he or she performs. Exceptions, based on the religious beliefs of an applicant who belong to an established church whose tenants' conflict with the use of physicians or medical treatment, may be granted on a case-by-case basis by the City Manager. Exceptions do not include Drug Testing for a person holding a Commercial Drivers License (CDL) who drives city vehicles with gross weight rating or gross combination weight rating of 26,000 or more pounds. For the purposes of DOT testing, "employee" includes an applicant for employment (see Drug Abuse 811).

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for
Employees
Policy: Political Activity
Policy No: 816
Effective: June 2007
Revised: November 2006

POLITICAL ACTIVITY (FT, PT, T/S)

I. PERMITTED POLITICAL ACTIVITIES

- A. While in uniform or on active duty, an employee of the municipality may not engage in a political activity relating to a campaign for an elective office.
- B. For the purposes of this section; a person engages in a political activity if the person:
 - 1. Makes a public political speech supporting or opposing a candidate;
 - 2. Distributes a card or other political literature relating to the campaign of a candidate;
 - 3. Wears a campaign button;
 - 4. Circulates or signs a petition for a candidate;
 - 5. Solicits votes for a candidate; or
 - 6. Solicits campaign contributions for a candidate.
- C. While out of uniform and not on active duty, an employee may engage in a political activity relating to a campaign for an elective office, including each activity listed by Subsection B.
- D. The City may not restrict the right of an employee to engage in a political activity permitted by this policy.

II. POLITICAL CANDIDACY BY CITY EMPLOYEES

The following shall apply when city employees seek elected office:

- A. A city employee may seek election to a partisan political office. If elected or appointed to political office (such as city council, county commissioner, etc.), and such office is clearly inconsistent, incompatible or in conflict with his or her duties as a city employee, the employee shall terminate city employment

prior to assuming the elected position (employees must resign their employment before running for an elected office of the Lake Jackson City Council);

- B. An employee may be a candidate for a nonpartisan board and if elected or appointed, may retain the city position. However, if such office is clearly inconsistent, incompatible or in conflict with his or her duties as a city employee, the employee shall terminate city employment prior to assuming the elected or appointed position (employees must resign their employment before running for an elected office of the Lake Jackson City Council).

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for
Employees
Policy: Acceptance of Gifts
Policy No: 817
Effective: June 2007
Revised: November 2006

ACCEPTANCE OF GIFTS (FT, PT, T/S)

As employees of the City of Lake Jackson, we are obligated to put the City's interest first in every business transaction. Our own personal interests must not be a consideration. Decisions involving the City's purchases of equipment, supplies, or services must be based solely on business criteria such as price, quality, performance, reliability, and service.

I. PERSONAL GIFTS

The City of Lake Jackson discourages gifts and gratuities to its employees. Sometimes these gifts are given without opportunity to refuse them. The following guideline will help in making a decision.

- A. No monetary gift may be accepted.
- B. No alcohol will be accepted.
- C. An occasional meal is acceptable, as are gifts which are expendable or of nominal value. Meals are not to be accepted when a pending business transaction has not been executed.
- D. Any gift that obligates you or makes you feel obligated should not be accepted.
A good rule of thumb is that -- if the offer of a gift or the gift itself makes you feel uncomfortable or gives the appearance of impropriety -- don't accept it!!

II. DONATIONS/SPONSORSHIPS/COMMUNITY SERVICE

This guideline is not intended to discourage the acceptance of donations or sponsorships for the purpose of promoting a City sponsored or co-sponsored event or program. Such donations and sponsorships must be made in an official capacity to the City. Such events and community service programs include but are not limited to:

Memorial Garden Fund
Blue Santa Program
Festival of Lights
Fourth of July Celebration

Volunteer Fire Department
Employee Picnic
Other Bona Fide City Sponsored Events or
Programs

POLICY & PROCEDURE MANUAL

**Section: Standards of Conduct for
Employees**
Policy: Use of Telephones
Policy No: 818
Effective: June 2007
Revised: November 2006

USE OF TELEPHONES (FT, PT, T/S)

Telephones in City offices, warehouses, police station, fire stations, and other City buildings are for City business. Employees are allowed to make personal calls but should hold them to a minimum. These calls should be made, if at all possible, on the employee's break time. All long distance calls shall be reported by filling out a Long Distance Call slip and turning it in to the proper office. Any person abusing the use of the telephones is subject to disciplinary action. It is the responsibility of the employee to reimburse the City for the amount due, which shall be calculated after receipt of the actual telephone bill.

POLICY & PROCEDURE MANUAL

**Section: Standards of Conduct for
Employees**
Policy: Solicitations
Policy No: 819
Effective: June 2007
Revised: November 2006

SOLICITATIONS (FT, PT, T/S)

Soliciting for sale of items or donations of any character for any purpose without permit or departmental and City Manager approval is prohibited by the public or City employees on City property during working hours.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for Employees
Policy: Employee Parking
Policy No: 820
Effective: June 2007
Revised: November 2006

EMPLOYEE PARKING (FT, PT, T/S)

The purpose of this guideline is to insure the accessibility of City facilities to the general public at the Service Center Complex, the Public Library, City Hall, Police/Fire Station, and Recreation Center.

I. SERVICE CENTER

Employees stationed at the Service Center are required to park their personal vehicles in the employee parking lot located outside of the fenced complex. Employees attending training sessions whose regular workstation is not the Service Center may park in the Visitor designated spaces inside of the Service Center compound while attending training sessions.

II. CITY HALL/LIBRARY/RECREATION CENTER/POLICE AND FIRE STATION

There are three parking areas around City Hall:

Lot 1 – The large parking area between City Hall and Circle Way.

Lot 2 – The parking area (both lots) between City Hall and the Library.

Lot 3 – The parking area between City Hall and the Police Station.

Parking spaces near the front door will be for the public. In Lot 1, employees must park at the far end of the lot nearest the Library and take up no more than 12 spaces. Lot 2, there will be 6 spaces unmarked for employee parking. Lot 3, Employees must park at the far end of the lot nearest the Library and take up no more than 9 spaces. There will be “no thru traffic - employee parking only” on each side of the drives entering Lot 2. Ten parking spaces are provided for the Library staff. Any additional staff parking will be in the designated Library parking lot.

III. VISITOR PARKING

Employees housed in a particular facility are instructed not to use the Visitor parking spaces at these facilities. Exceptions are as follows:

- A. Health/Injury - with written permission of the City Manager.
- B. Loading or unloading of personal vehicle - 30-minute time limit.
- C. Employees from other city facilities - 2-hour time limit when visiting a facility other than their work place.
- D. Employees attending training sessions at the Service Center.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for
Employees
Policy: Use of City Computer
Systems / Internet / E-Mail
Policy No: 821
Effective: June 2007
Revised: November 2006

USE OF CITY COMPUTER SYSTEMS / INTERNET / E-MAIL (FT, PT, T/S)

I. GENERAL PRINCIPLES

The City of Lake Jackson encourages the use of electronic communications by its departments and employees. Although access to information and information technology is essential to the missions of government departments and their users, use of computers and computer systems is a revocable privilege.

All computer communication to and from city employees are presumed to be work-related. City computers and any data stored in them are the property of the city, and may be accessed at any time by authorized officials of the city.

The City reserves the right to access and read any and all information contained in computers, computer files, e-mail messages, or voice mail messages. Employees should have no expectation of privacy with regard to these communications and will be in violation of the organization's discrimination and harassment policy if they send, receive, or access discriminatory, harassing, or otherwise inappropriate e-mails or voice mails.

At a minimum, users of computer systems provided by the city are expected to:

- A. Make a reasonable effort to inform themselves of the city's computer system use guidelines. The burden of responsibility is on the user to inquire as to acceptable and unacceptable uses prior to use.
- B. Use city provided computer systems primarily for city government-related activities. As with telephone service, the city acknowledges personal use of computer systems may occur. This usage should be infrequent.
- C. Respect the legal protection provided by copyright and license to programs and data.
- D. Respect the privileges of other users.

- E. Respect the integrity of computing systems connected to the Internet.

Users should remember that all other city existing and evolving rules, regulations, and guidelines on ethical behavior of government employees and the appropriate use of government resources apply to the use of computer systems supplied by the city.

II. SPECIFICALLY ACCEPTABLE USES

Communication and information exchange directly related to the mission, charter, or work tasks of the city.

III. SPECIFICALLY UNACCEPTABLE USES

- A. Use for any for-profit activities unless specific to the charter, mission, or duties of the user's department or city.
- B. Use for private business, including commercial advertising.
- C. Use for access to and distribution of computer games that have no bearing on the city's mission. Some games that help teach, illustrate, train, or simulate city-related issues may be acceptable.
- D. Intentionally seeking out information on, obtain copies of, or modify files and other data which are confidential under federal, state, or local law, unless specifically authorized to do so once the legal conditions for release are satisfied.
- E. Users intentionally representing themselves electronically as others, unless explicitly authorized to do so by those other users. Users shall not circumvent established policies defining eligibility for access to information or systems.
- F. Intentionally developing programs designed to harass other users or infiltrate a computer or computing system and/or damage or alter the software components of same.
- G. Use for fund raising or public relations activities not specifically related to city activities.
- H. Use for any illegal, unethical or immoral act.

IV. E-MAIL GUIDELINES

The rule of thumb when it comes to e-mail and voice mail is that employees should not say or write anything that they would not want someone other than the intended receiver to hear or read.

Remember that even when an e-mail or voice mail message has been deleted from a location, it is still possible to retrieve and read that message.

- A. E-mail accounts are to be used for city related business; however the city does acknowledge that personal communications may be made using city e-mail accounts. The nature and frequency of such personal communications should be kept to a minimum and when possible should be conducted outside business hours. Your use of city computer systems grants automatic consent to the review of any messages, whether sent by you or received by you.
- B. Employees should realize that any correspondence made from a city e-mail account carries the city name and will be associated with the city positively or negatively. In this light, no personal e-mail that would have a negative bearing on the city may be sent from a city account. This includes forwarding/mass forwarding of "cute, inspirational or joke" messages, either to city employees or to outside mail addresses; forwarding or sending any suggestive or marginally lewd messages; and receiving messages from a list group that are not work related. Employees should also discourage anyone from sending messages to a city account that do not follow these guidelines.

V. ADDITIONAL GUIDELINES

Computer Viruses on Downloaded Software. Before downloading or loading any software obtained from outside the city government MIS approval should be received.

Logoff (Exiting). Always make a reasonable attempt to complete the logoff or other termination procedure when finished using a remote, Internet-accessed system or resource. This will help prevent potential breaches of security. Do not leave your internet browser program open and unattended. Do not open or leave your internet browser open while accessing other city resources such as the AS400.

Large File transfers and Internet Capacity. The Internet connection uses shared resources. While routing electronic mail and file transfer activities won't impact other users much, large file transfers and intensive multimedia activities will impact the service level of others. Users contemplating file transfers over 10 megabytes per transfer or interactive video activities should, to be considerate of others, schedule these activities early or late in the day or, better, after business hours. This includes audio or video streaming programs (playing music or video across the internet) and any programs that establish and maintain a connection to an internet server for the purpose of daily downloads, updates or messaging services.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for
Employees
Policy: Retention and Disposition
of E-Mail Records
Policy No: 822
Effective: June 2007
Revised: December 2015

RETENTION AND DISPOSITION OF E-MAIL RECORDS (FT, PT, T/S)

I. GENERAL PRINCIPLES

Information created or received is a local government record if it meets the definition in the Local Government Records Act:

Any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by a local government or any of its officers or employees pursuant to law, including an ordinance, or in the transaction of public business.

Information created or received by an e-mail system is a local government record if it meets the definition above.

A local government record must be made available to the public upon request unless the record fits an exception to disclosure described in Texas Government Code, Sections 552.101 - 552.123. The disclosure of public information includes local records created or received by means of an electronic mail system. The Public Information Act also protects the confidentiality of records with restricted access by establishing criminal penalties for distribution of confidential information. An electronic mail system should not be used for transmittal of confidential information unless the system provides security measures to control access so that confidential information is protected. Before any e-mail records are released pursuant to a public information request, any exempt information should be deleted from the e-mail.

II. IDENTIFICATION OF RECORDS Electronic documents meeting the legal definition of a local government record are subject to all records management requirements set forth in this Records Management Plan. Be aware that the law specifies that some materials are not records. For example, if an e-mail message is sent within a local government and six staff members are copied, the six identical copies are not records and should not be retained. Follow the procedures in this Records Management Plan to ascertain who has responsibility for saving the record copy (if required) and the retention period from that record series. The prompt deletion of duplicate copies from the electronic mail system will make it easier to manage.

All features of e-mail systems including messages, calendars, directories, distribution lists, attachments such as word processing documents and messages sent or received over external communication systems such as Internet should be evaluated to identify documentary materials that satisfy the definition of a local government record.

III. RETENTION OF E-MAIL

Just as all incoming mail from the post office is not a single record series, neither is e-mail. A wide variety of information can be transmitted by electronic mail systems; therefore, the retention periods for the records created or received by e-mail will vary according to their content and function. E-mail records, which are comparable to any other records of the City maintained for a specific period of time on paper or other electronic medium, must be kept for the minimum retention period identified in Section I, Records Common to all Local Governments, of the Records Retention Manual.

Records must be maintained for the full retention period by the Division responsible for maintaining the record copy. Security measures should be taken to protect e-mail records from unauthorized alterations or deletions. Messages stored on-line should be regularly backed up to off-line media to guard against system failures or inadvertent erasures. Procedures for backing up electronic mail systems should be coordinated with the destruction of e-mail records so that no copies are maintained after the retention periods for the records expire.

IV. DISPOSITION OF E-MAIL RECORDS

Apply the Records Management Plan for disposition of e-mail records as it would be applied to paper records or records stored on other electronic media. E-mail records should be disposed of in accordance with the Records Control Schedules included in Records Retention Manual.

NOTE: GENERAL RECORDS CATEGORIES FOR ALL OFFICES, ALLOWS THE DESTRUCTION OF TRANSMITTAL LETTERS AND ROUTINE MISCELLANEOUS SUBJECT AND INFORMATION CORRESPONDENCE WHEN NO LONGER ADMINISTRATIVELY VALUABLE (AV).

V. RECORDS RETENTION ADMINISTRATOR

The City Secretary's Office administers this policy. Please contact the City Secretary's Office regarding any requests for information and any questions regarding records retention.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for Employees
Policy: Violence in the Workplace
Policy No: 823
Effective: June 2007
Revised: December 2006

VIOLENCE IN THE WORKPLACE (FT, PT, T/S)

I. GENERAL POLICY

The safety and security of all employees is of primary importance at the City of Lake Jackson. Threats, threatening and abusive behavior, or acts of violence against employees, visitors, customers, or other individuals by anyone on city property will not be tolerated. Violations of this policy will lead to corrective action up to, and including, termination (See Policy No. 901) and/or referral to appropriate law enforcement agencies for arrest and prosecution. The City of Lake Jackson reserves the right to take any necessary legal action to protect its employees.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on city's premises shall be removed from the premises as quickly as safety permits and shall remain off city's premises pending the outcome of an investigation. Following investigation, the city will initiate an immediate and appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person or persons involved.

II. REPORTING PROCEDURES

All employees are responsible for notifying management of any threats that they witness or receive. Even without a specific threat, all employees should report any behavior they have witnessed that they regard as potentially threatening or violent or which could endanger the health or safety of an employee when the behavior has been carried out on a city controlled site or is connected to city employment or company business. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened. The city understands the sensitivity of the information requested and recognizes and respects the privacy of the reporting employee. Therefore, the city will treat the matter in as confidential a manner as legally possible.

III. DANGEROUS / EMERGENCY SITUATIONS

Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm, make constant eye contact and talk to the

individual. If a supervisor can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, cooperate and follow the instructions given.

IV. ENFORCEMENT

Threats, threatening and abusive behavior, or any acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. (See Policy No. 901) Non-employees engaged in violent acts on the city's premises will be reported to the proper authorities and fully prosecuted.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for Employees
Policy: Mobile Communications Device
Policy No: 824
Effective: September 2008
Revised: January 2015

MOBILE COMMUNICATIONS DEVICE POLICY (FT, PT, T/S)

PURPOSE

This policy sets forth the City of Lake Jackson's guidelines for the assignment of employee use and control of City owned mobile communications devices to ensure that such equipment is used in the most efficient and ethical manner. Mobile communication devices include, but are not limited to, cellular phones, air cards and personal digital devices.

BACKGROUND

This policy and procedure applies to all departments and all mobile communication devices issued to City employees.

POLICY

The City of Lake Jackson wishes to provide the most consistent, convenient, and cost-effective communications services to its employees. The objective of this policy is to:

- Provide guidelines to employees on eligibility for availability and acquisition of mobile communications devices.
- Provide a system for monitoring usage patterns so that the City's communications plans can be routinely modified to be cost beneficial while meeting the needs of the City as a whole.
- Provide usage guidelines to employees who have City-issued mobile communications devices.
- Provide an internal system for purchasing mobile communication services, gaining access to repair services, acquiring necessary training and support and communicating available programs to employees.
- Standardize the communications equipment and service agreements used by city employees.
- Simplify and manage the City's relationship with communications service provider(s).

PROCEDURES

A. Eligibility

The assignment of a mobile communications device is based on an employee's need and level of urgency for two-way communication with his/her office, other City departments, outside organizations, and/or citizens. The assignment must be fully justified prior to an employee receiving a mobile communication device. The type of authorized mobile communications device will depend upon the degree and methods of communications required for the employee's position. Department Directors must approve all requests for mobile communication devices, with the exception of routine replacements. Mobile communication devices allowing internet and email access are limited.

Mobile communications devices may be issued to:

- City employees who are frequently in a vehicle and must conduct City business while in the field where it can be shown that cost savings and customer service efficiency will be realized through the use of mobile communication device.
- City employees who are on call and/or are part of a 24/7 operation and require a means of two-way communication after regular business hours.
- City employees who have a critical need to maintain accessibility to other department employees or public officials in order to ensure uninterrupted customer service and/or the integrity of the organization.
- City employees who need to provide immediate and direct communications with citizens, outside agencies, or other resource entities outside City government.
- City employees who are involved in emergency response activities.

B. Acquisition

The employee must submit a Request for Mobile Communications Device to his or her Department Director for approval and then the City Manager for approval. The approved Request for Mobile Device Form must then be submitted to Purchasing for processing. Each Department Director must ensure that sufficient funds are budgeted in the appropriate line item account for the monthly operational cost associated with the mobile communication device prior to assigning one to an employee.

The Purchasing Department will maintain an inventory of all mobile communication devices, completed forms and usage by authorized users and provide the inventory annually to Department Directors for evaluation and recommendation of any plan changes for the budget cycle. .

C. Proper Use

Mobile communications devices must be used primarily for municipal business as provided in this Policy.

- **Personal Use:** The City of Lake Jackson provides mobile communications devices to employees for the purpose of conducting City business. Personal use of City-owned mobile communication devices is discouraged, although it is understood that such usage may be necessary occasionally or in emergency situations. The City

Manager may authorize more frequent personal use for specific employee groups who are required to maintain 24/7 access to the City. Personal use of mobile communication devices must not interfere with the performance of job duties under any circumstances. All use of city-owned mobile communication devices are subject to the Texas Public Information Act.

- **Tax Implications:** The IRS considers a cell phone as a fringe benefit. To avoid any IRS penalties, each employee must complete a Mobile Communications Device Usage Agreement. This form will be maintained in the employees' Personnel File.
- **Use While Operating a Vehicle:** Employees are responsible for, and will be held accountable for, safe-driving conditions at all times. Employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over to answer the call is not an option, employees are expected to keep the call short, use hands-free options if available and keep their eyes on the road at all times. **Texting is not allowed at any time while the vehicle is in motion.**
- **Confidentiality:** Mobile transmissions are not secure; therefore, employees must use discretion in relaying confidential information.
- **Camera Phones:** Employees must exercise professional judgment if issued a camera phone. Pictures should be taken for municipal business purposes only.
- **Text Messaging:** Employees must exercise professional judgment when composing and sending text messages. Text messages should be related to municipal business purposes only. Text messages and internet use may not be included in all the City's communications service plans. The employee must include the fair market value of the text messages and internet attributable to personal use when completing a Mobile Communications Device Usage Agreement.

D. Prohibited Uses

The following uses are prohibited:

- Any call which could suitably be made from a standard City telephone or by a less costly communications device.
- Out-of-country and out of network or roaming calls, except when necessary for business purposes and approved in advance by the employee's direct supervisor.
- Any call that is not included within the City's service plan.
- Any call made in relation to an employee's business enterprise.
- Sending or receiving information related to entertainment, such as 900 numbers, movie links, or other entertainment sources.
- Sending or choosing to receive a communication that could reasonably be considered as being offensive, illegal, sexually explicit, threatening, or otherwise inappropriate for the workplace.

- Sending or receiving communications using methods not covered under the City plan.

E. Maintenance (Damage, Loss, or Theft)

Each employee who is assigned a City-owned mobile communications device is responsible for good care and maintenance of the assigned device. Reasonable precautions should be made to prevent theft and damage of communication devices and related equipment. Handsets or other equipment that are damaged in the course of business should be brought to Purchasing, which will arrange for replacement or repair. Lost or stolen communication devices must be immediately reported to the employee's supervisor and to the Purchasing Department so that the service can be cancelled. All costs incurred for replacement or repair will be the responsibility of the user department, unless the supervisor and Department Director determine that the employee abused the equipment or was negligent, in which case the cost will be the employee's responsibility. Replacement of any communication device will be for similar or equivalent equipment, unless the Department Director provides written justification for a change in equipment.

F. Upgrades

Upgrades of communication devices must be requested in writing from the Department Director. Justification for an upgrade should include reasons why the current device is no longer adequate and/or how the upgrade will benefit the City. The availability of additional features that may be desirable but not necessary for the City operations is not sufficient justification for an upgrade.

ACCOUNTABILITY

The relationship with the City's communication providers shall be managed through the Purchasing Department. Purchasing Department staff will place all orders for communication devices and service plans and must receive delivery of new equipment. Purchasing staff will contact employees when equipment arrives and provide orientation and training as necessary. Purchasing staff will monitor plans and overall usage and recommend changes in service plans to provide the most convenient and economical plan to the City. Purchasing will also maintain a list of standard equipment appropriate for each position level.

Employees who are assigned City-issued mobile communications devices are required to complete a Communications Service Appropriate Use Statement that will be maintained in the employee's personnel file.

FORMS

- Communication Service Appropriate Use Statement
- Mobile Communications Device Usage Agreement

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for
Employees
Policy: Customer Service
Standards
Policy No: 825
Effective: November 2009
Revised: NEW

CUSTOMER SERVICE STANDARDS (FT, PT, T/S)

The City of Lake Jackson has a policy on customer service expectations and minimum standards for accessibility and responsiveness. This policy supports the City's vision statement to create an ideal community to live, work and play for all. Our five vision elements that support the vision are: Maintain a Well Managed City, Maintain Infrastructure, Enhance Communication and Technology, Enhance Growth and Revitalization, and Quality of Life.

POLICY:

Our customers, both internal and external, deserve the best possible service. To achieve that, we will enhance our customer service efforts, ensuring that our services are done in a timely, professional, and respectful manner. Our employees will be seen as excellent problem solvers. We will also seek ways to make compliance easy so that people can readily understand what they are supposed to do. Employees will be held accountable for providing excellent customer service as defined below in "Customer service expectations of City employees."

Employees will be evaluated annually as to their customer service skills as part of their regular performance evaluation.

Department Managers will ensure customer service questions are included in all interviews of potential new employees.

Department Managers will cover this policy and any additional customer service expectations in new employee orientations.

I. What is Customer Service in the City of Lake Jackson?

- Providing prompt, complete, accurate, concise and easy to understand information.
- Listening actively and demonstrating an understanding.
- Facilitating compliance through information and training.

- Viewing each customer contact as an opportunity to educate and to make a meaningful connection.
- Providing solutions and when that isn't possible providing options.
- Simplifying processes, forms and procedures so that they are easy to use and understand.
- Communicating in clear language that is understandable to staff and customers,
- Carrying out work fairly, consistently, and courteously.
- Responding to inquiries and delivering our message promptly, accurately, positively, and respectfully.
- Providing options for access to the departments by phone, fax, e-mail, website and in-person.

II. Customer Service Expectations of City of Lake Jackson Employees:

- We listen actively, acknowledge the problem, and ask questions before we problem solve or provide answers.
- We do our homework before answering a question and take responsibility for our responses.
- We provide solutions and options, and are empathetic and helpful even if we have to say “no.”
- We respond to inquiries promptly and provide consistent information.
- We are polite and respectful.
- We are accountable to our customers.
- Our verbal and written communications are clear, concise, and as jargon free as possible.
- We treat our customers, both external and internal, the way we would like to be treated.
- We are diligent to keep our conversation with and around our customers, professional and appropriate at all times.

III. City of Lake Jackson’s Customer Service Standards for Accessibility and Responsiveness:

- A “live” person is preferred to answer main lines and other telephone lines directed at the general public. Other telephone numbers should provide the option of accessing a live person, when possible.
- Depending on need, key areas are staffed during lunches and breaks.
- Employees use the e-mail “out of the office” notification feature to notify customers if they are out of the office and cannot reply or provide an alternative contact person or number for immediate help.
- Employees keep their electronic calendars up-to-date.
- Employees update voice mail messages to reflect availability, ensuring messages state when the employee is out of the office.
- Walk-in customers are given the same prompt, courteous, and informed service as all other methods of customer access.

IV. Telephone and E-mail Minimum Standards:

- Employees return phone calls and e-mail inquiries within one workday of receipt. This means that employees return the call or e-mail and either respond to the customer on the substance of the matter or let the customer know when a response will be provided.
- When transferring a customer to another staff member, employee stays on line and identifies his self / herself before hanging up. (No “blind” or “dropped” transfers.) Except transfers from the main switchboard.
- Employees follow through on all phone inquiries and e-mail requests.

V. Letters (US Mail) Minimum Standards:

- The correspondence meets department writing and style standards.
- The correspondence acknowledges the customer’s concerns and responds directly to the issue.
- Writing is clear, concise and jargon free. However, when targeting one specific professional audience, writing can be tailored appropriately for that audience.
- Writing is free of grammar and spelling errors.
- If a statute, ordinance, law or rule is cited, it is explained clearly.
- Periodic updates will be provided to the customer if a response takes longer than two weeks.

VI. Customer Service Training Requirements:

- All new City of Lake Jackson employees will be required to take an initial customer service training class within one year of employment.
- All employees will be required to take an additional customer service or communications class every two years thereafter as identified by the employee, department, or employee’s supervisor. This should be a part of the employee’s individual development plan.

VII. Measures of Success:

- Employees understand and demonstrate what customer service means in the City of Lake Jackson.
- Employees incorporate customer service into their services and behavior.
- Customer feedback through evaluations or surveys indicates that customer service standards are met.
- Customers report high levels of customer service satisfaction or no valid complaints are received.

POLICY & PROCEDURE MANUAL

Section: Standards of Conduct for Employees
Policy: TikTok
Policy No: 826
Effective: November 2024
Revised:

TIKTOK POLICY (FT, PT, T/S)

PURPOSE

To protect the city from technology believed to pose a threat to information stored on the city's servers and to critical infrastructure by prohibiting and preventing the download or use of prohibited technologies on any city-owned or issued electronic device, as required by state law.

BACKGROUND

This policy and procedure apply to all departments and all technology used by city employees.

POLICY

All city employees are prohibited *on any city-issued, owned or leased devices*, from

1. downloading, installing or using the social media service TikTok or any successor application; or
2. downloading, installing or using any social media service developed, provided or owned by ByteDance Ltd. or any subsidiary; or
3. downloading, installing or using any prohibited software/applications/developers listed at <https://dir.texas.gov/information-security/prohibited-technologies> or referenced in Section 620.005 Texas Government Code.

COMPLIANCE

City staff may prohibit the use of TikTok on city devices by limiting network access to the application.

Compliance with this policy will be verified through various methods including but not limited to IT/security system reports. Violations of this policy will result in disciplinary action up to and including termination of employment.

EXCEPTIONS

Exceptions to this ban on prohibited technologies may only be approved by the City Manager. When requesting an exception, the following must be shown in writing:

1. Use of the prohibited technology is required for law enforcement or developing or implementing information security measures; and
2. Measures that will be used to mitigate risks posed to the security of the city during the use of the covered technology.

If the City Manager grants the exception, the technology should only be used on devices that are not used for other city business.

POLICY & PROCEDURE MANUAL

Section: Discipline
Policy: Disciplinary Action Process
Policy No: 901
Effective: June 2007
Revised: December 2015

DISCIPLINARY ACTION PROCESS (FT, PT, T/S)

The City of Lake Jackson is an at will employer as defined under Texas Common Law (See Employment at Will - 101), and no practice shall limit or modify this at will relationship. Accordingly, this guideline does not limit the City's right to terminate an employee at any time, for any reason.

It is an objective of the City of Lake Jackson to maintain an effective and productive work force in order to deliver quality services. Each employee is responsible for performing their job in a safe, productive, and effective way and within the instructions and standards established by their supervisor. In addition, employees are expected to maintain acceptable standards of conduct in their employment. Supervisors are charged with assisting employees in correcting unsatisfactory performance and unsatisfactory conduct through disciplinary procedures up to and including termination.

ADMINISTRATIVE PROCEDURES:

I. INTRODUCTION

These administrative procedures are intended to address general application of the principles of disciplinary actions in typical situations. Disciplinary actions should recognize the importance of the City's responsibility to provide quality service to the citizens. These procedures address a broad range of performance of duties and conduct problems. However, they are not intended to address every problem or situation which might arise. It is the responsibility of the supervisor to determine the nature, extent, facts and circumstances in each disciplinary action and use judgment in the application of these policies and procedures.

II. DESCRIPTION OF PERFORMANCE OF DUTIES AND PERSONAL CONDUCT SUBJECT TO DISCIPLINARY ACTION

The following lists of actions are intended to be descriptive and serve only as a guide to the types of problems for which disciplinary action may be appropriate. Disciplinary actions should address two general categories: performance of duties and personal conduct.

A. Performance of duties

The following are examples relating to unsatisfactory performance of duties for which disciplinary action up to and including termination may be taken on the first offense. (This list of examples is not all inclusive.)

1. Incompetence in the performance of duties. The fact that any employee is deemed competent at the time of employment shall not preclude a judgment of incompetence as the result of apparent unwillingness to perform assigned tasks, being absent without leave or demonstrating unnecessary absence from the assigned work area during assigned hours of work. Other methods of proof of incompetence shall include repeated oral and written disciplinary actions for minor infractions of manuals, directives, or repeated oral and written disciplinary actions demonstrating the employee's inability to meet performance standards.
2. Failure to satisfactorily meet performance standards for the position.
3. Patterned absenteeism without sufficient medical justification.
4. Absence without approved leave.
5. Unexcused tardiness, as a habitual pattern or failure to report for duty at the assigned time and place.
6. Violation of written departmental regulations regarding the performance of duties.
7. Careless, negligent or improper use of City property or equipment.
8. Improper use of leave privileges.
9. Discourteous treatment of the public or other employee.
10. Neglect or carelessness in the performance of duties.
11. Failure to meet or maintain specified conditions of employment, such as failure to obtain or maintain a license or certificate required as a condition for performing a job.
12. Negligently causing damage to City property.

13. Causing or contributing to an accident by operating City equipment in an unsafe or unauthorized manner.
14. Dereliction of duty: Dereliction of duty on the part of any employee, detrimental to the proper performance of the functions of the City, is cause for disciplinary action. The following subsections constitute dereliction of duty:
 - a. Failure of a supervisor to immediately take action when a violation of policies, rules or regulations comes to his/her attention, regardless of the supervisor's or violator's assignment or position in the City.
 - b. Failure to observe and give effect to the policies of the employee's department or the City.
 - c. Failure to deliver to the official City supervisor any property found by, confiscated by, or relinquished to employees of the City without undue delay and, in any event, before the work day is ended.
15. Misusing or failing to use delegated authority in the performance of duties.
16. Being unwilling or unable to perform the essential functions of the job.
17. Failure, refusal or the equivalent thereof, to perform related duties as required.
18. Failure, refusal or the equivalent thereof, to perform duties as needed or required as a result of an emergency situation and/or natural disaster whether in preparation of, during, or after such an occurrence.
19. Failure or refusal of an employee to cooperate fully with a fact finding investigation or inquiry.

B. Personal Conduct

The following are examples relating to personal conduct for which disciplinary action up to and including termination may be taken on the first offense. The list is not intended to be all-inclusive. It does describe examples of conduct which

management believes are unacceptable and could jeopardize an employee's continued employment. Examples are:

1. Theft of, aiding in, or encouraging the theft of cash, City property or equipment.
2. Destroying City records without authorization.
3. Falsifying information on City records, including application for employment or medical information or other information concerning employment status. Falsifying time sheets or other City records.
4. Willful damage to public property or willful waste of public supplies, service, or equipment.
5. Insubordination: the refusal to perform a reasonable, lawful, safe and proper work assignment , duty or task from an authorized supervisor, back talk to a supervisor, etc...
6. Dispensing, using and/or possessing any illegal controlled substance or abuse of prescription drugs during the performance of job duties, on the job site or on City property.
7. Physical assault committed on the job upon a City employee, member of the public or City official.
8. Using an official position or office for economic gain or soliciting favors or gratuities for performing services required by the employee's position.
9. Disclosing information as defined by statute to be confidential.
10. Unauthorized use or possession of City funds.
11. Unlawful possession or use of dangerous weapons, such as firearms or knives on the job.
12. Using threats against another employee or a member of the public.
13. Engaging in any employment activity or enterprise which constitutes a conflict of interest.
14. Using City property or equipment without authorization.
15. Violating the City's Drug and Alcohol Abuse Guideline.

16. Using abusive language toward employees, supervisor, or the public.
17. Unnecessarily disrupting the work of other employees.
18. Operating or conducting gambling on the job or on City property.
19. Violating safety rules or practices which endanger the employee or others or damages City property or equipment.
20. Playing tricks or jokes or engaging in horseplay on the job.
21. Violating the City's Sexual Harassment or Other Harassment Guidelines, such as, making derogatory racial, age, ethnic or sexist remarks while on duty.
22. Engaging in personal business while on duty without authorization of his supervisor.
23. Failure to report damage to City equipment or property of others.
24. Appropriating City property, i.e. equipment, furniture or construction materials which have been abandoned or discarded.
25. Utilizing City data or information systems for any reason other than City business.
26. Sleeping on the job.
27. Falsely reporting illness or injury, or otherwise attempting to deceive any official of the City as to a health or medical condition.
28. Conviction of a felony
29. Repeated conviction of a misdemeanor.
30. Fighting
31. Unnecessary rudeness
32. Failure to meet credit obligations.
33. Embezzlement
34. Unauthorized use of city vehicle, city equipment, supplies or other city property.

35. Performing or participating in any behavior, conduct, or act that is in violation of local, state, or federal law.
36. Performing or participating in any behavior, conduct, or act that is immoral, unethical, or casts a negative light on the City.
37. Confirmed positive drug or alcohol result as a result of post accident testing, random testing, or other authorized testing.
38. Failure to immediately notify the City of any arrest for violation of any criminal law, alcohol law, or drug law occurring in or outside of the workplace.
39. Drinking alcoholic beverages while on duty or on the clock, including during emergency situations.
40. Lying and/or misrepresenting information in a manner that causes harm to someone or reflects poorly on the City.
41. Divulging information that is considered confidential to a 3rd party or to anyone who does not have a need to know.

Employees may also be dismissed when, in the judgment of the Department Head or City Manager, the best interest of the City, or maintenance of discipline within the organization, dictates such dismissal.

III. DISCIPLINE

Although the procedures described in this guideline shall normally be followed, the City may skip or modify any step or steps in the discipline process with the approval of the City Manager.

The following types of discipline outlined below may be applied to an employee whose performance of duties or personal conduct is unsatisfactory. These guidelines shall in no way prevent the supervisor from taking appropriate disciplinary action when the severity of the violation(s) or the best interest of the City, or maintenance of discipline within the organization warrants such action.

A. Reprimands

1. Oral Reprimand.

- a. The supervisor shall discuss the situation with the employee in private and make every effort to discover the reason(s) for the employee's performance and advise the

employee of the necessary changes in his behavior to correct the problem.

- b. A report concerning the discussion and specific actions and agreements to correct the problem will be prepared by the supervisor for inclusion in the employee's department file.
- c. The report will remain in the department personnel file unless the report is needed to substantiate subsequent disciplinary action.

1. Written Reprimand.

- a. Any supervisor in the employee's chain of command may issue a subordinate employee a written reprimand.
 - 1. A report of the written reprimand shall be made to the employee's direct supervisor as soon as possible if issued by another supervisor.
- b. The reasons for a written reprimand shall include;
 - 1. inability to perform his job duties,
 - 2. more than two absences,
 - 3. minor personal conduct problems,
 - 4. serious personal conduct problems.

B. Disciplinary Progress Period

- 1. Differences in the nature of the work unit, type of work performed, the type of performance problem and the severity of the impact on the organization, require that different disciplinary actions be available that are responsive to both the needs of the employees and the needs of the organization. If oral or written reprimands have been unsuccessful in bringing about the desired solution to an employee's unsatisfactory performance of duties, the supervisor may recommend either of two alternative disciplinary actions as the next step in the progressive disciplinary process: a formal performance improvement program for up to 90 days or a suspension without pay for up to 30 days.

C. Formal Performance Improvement Program

When the job performance of an employee falls below the acceptable level, supervisors should point out deficiencies to the employee at the time they are observed. An employee who continues to perform below the acceptable level may be placed on a formal program designed to improve performance.

D. Suspension Without Pay

If an employee's conduct is unsatisfactory or oral and written reprimands have been unsuccessful in bringing an employee's performance of duties to a satisfactory level or a serious performance problem exists, a supervisor may recommend a suspension without pay for up to 30 days. The length of the suspension will be determined by the nature and severity of the conduct, impact on the organization and previous disciplinary actions. No disciplinary suspension or combination of suspension will exceed 30 working days in one calendar year. All proposed suspensions without pay will require the approval of the Department Director and the City Manager.

E. Dismissal

When an employee's unsatisfactory performance of duties continues at an unacceptable level or an employee has committed an act of misconduct determined to warrant dismissal, a supervisor may recommend to the Department Director and City Manager that the employee be dismissed from employment with the City.

POLICY & PROCEDURE MANUAL

Section: Attendance
Policy: Hours of Work /
Attendance / Tardiness
Policy No: 1001
Effective: June 2007
Revised: December 2015

HOURS OF WORK / ATTENDANCE / TARDINESS (FT, PT, T/S)

I. WORK WEEK

The typical working time per week for non-exempt regular full-time employees is forty (40) hours with special provisions made in departments that require additional hours to meet existing conditions or emergency contingencies. Non-exempt regular full time employees may have working hours that vary.

II. HOURS OF WORK

City Hall Offices are open for business between 8:00 A.M. and 5:00 P.M. Up to a one hour unpaid lunch period may be granted to all office employees as schedules and workloads permit, but they should be staggered so that offices can remain open during the noon hours. All other departments conduct their business during hours determined by the respective Department Head and City Manager.

III. ATTENDANCE/TARDINESS

Nothing in this guideline is intended to conflict with the Americans With Disabilities Act or the requirements of the Family and Medical Leave Act, and that certain tardiness or absences will be excused and not result in pay deductions under this guideline. Employees should be advised to see the Personnel Director regarding absences or tardiness that may be excused due to disability or a serious health condition of an employee or an employee's family.

Employees are to be at their place of work on time as prescribed by their respective supervisor. All departments shall maintain daily attendance records. An employee who will be late for work for any reason should attempt to notify their supervisor, not a co-worker, before working hours begin.

Employees not engaged in any work are permitted to punch in no more than 7 minutes before their shift begins. This time will not be recognized as time worked until the actual shift has begun.

IV. UNEXCUSED TARDINESS

Chronic unexcused tardiness by an employee may subject them to disciplinary action.

- A. Employees who are chronically late may be given a written warning by their supervisor.
- B. If the employee continues to be late for work, he/she may be immediately suspended without pay for up to thirty (30) days, or dismissed.

POLICY & PROCEDURE MANUAL

Section: Attendance
Policy: Inclement Weather
Policy No: 1002
Effective: January 2007
Revised: December 2015

INCLEMENT WEATHER (FT, PT, T/S)

Because of the critical nature of the City's work, it is imperative that employees make every effort to report to work in the event of inclement weather, including, but not limited to, snow, ice, freezing rain, or flood.

Employees should not assume that City offices or operations are closed. We are a service operation and as such, we are obligated to the citizens to perform our duties. In the event of conditions such as freezing, flooding, etc., employee safety will be considered. If you feel it is unsafe to drive, you must contact your supervisor/foreman and notify him/her. If you cannot make it to work, you may be charged a day of personal or leave without pay. In the event of emergencies that require evacuation (such as hurricanes or other natural disasters), non-emergency employees should return within 24 hours of the all-clear notice.

In the event that City offices are closed by the City Manager due to inclement weather, employee absence will be recorded as approved paid leave. Employees already on an approved leave during an inclement weather event may not substitute the City Manager's event leave for their pre-approved leave.

The City Manager may authorize approved leave based on unusual or unforeseen circumstances on a case by case basis.

In general, in the case of a Hurricane, most employees will be released at a pre-determined time to evacuate. During that time they will still receive their regular pay on their regular schedule.

Employees who stay will be further compensated in an appropriate form and that will be determined at the time.

Once the "all clear to return" is given, employees will resume their regular shifts or be placed on adjusted shifts to meet the hurricane response needs of the community. Again, these are general guidelines. Specifics will be decided on a case by case basis.

POLICY & PROCEDURE MANUAL

Section: Attendance
Policy: On-Call & Call-Back
Policy No: 1003
Effective: June 2007
Revised: December 2015

ON-CALL AND CALL-BACK (FT)

To provide for after-hour service needs, some operations within the city may designate non-exempt employees to be on-call. All non-exempt, full-time employees of the City of Lake Jackson are covered under this policy.

I. ON CALL RESPONSIBILITIES

An employee on-call is free to pursue personal activities but must respond to summons within designated guidelines set by the Department Supervisor. This is not considered time worked and is not compensable. If called back, however, call-back compensation will be paid.

When on-call, the employee is to remain in a suitable condition so as to respond to an emergency. For that reason, alcohol is not to be consumed when on-call.

An employee will be considered officially scheduled and designated as on-call only when approved by his supervisor.

II. CALL-BACK

Call-back is an unscheduled or emergency return to work outside of officially scheduled work hours or on a holiday or day off at the request of a supervisor.

Non-exempt employees who are called back to the work place will be compensated for all hours worked and are guaranteed a minimum of (2) two hours for each call-back. If the employee receives multiple calls during the initial two-hour period, time will be compensated as actual time worked. In the case where the (2) two hour minimum coincides with regular scheduled work hours, the employee will be compensated for the regular hours actually worked. Payment for the call back hours shall cease. After the initial two-hour period has begun and the work has been completed and the employee has returned home, any additional call will initiate another two-hour minimum period.

III. EXEMPTION

Employees who are exempt from overtime are not eligible for compensation under the provisions of this guideline.

IV. POLICE DEPARTMENT

Specific rules for police employees supplement these rules.

POLICY & PROCEDURE MANUAL

Section: Attendance
Policy: Absent Without Leave
Policy No: 1004
Effective: June 2007
Revised: December 2015

ABSENT WITHOUT LEAVE (FT, PT, T/S)

No employee may absent himself from duty without permission from his immediate supervisor. Absence without leave is sufficient cause for forfeiture of all rights and privileges earned while employed. An employee absent for three consecutive days without notice may be deemed to have resigned as of his last day of active employment.

Supervisors are required to notify Human Resources of an employee's absence on the third consecutive day so that a letter may be sent to the employee's last known address notifying him/her of their separation from employment. The letter should be sent by regular and certified mail with a return receipt requested.

POLICY & PROCEDURE MANUAL

Section: Attendance
Policy: Catastrophic Event Policy
Policy No: 1005
Effective: January 2018
Revised: January 2018

Catastrophic Event Policy

I. BACKGROUND

The City of Lake Jackson has established a policy for the compensation of paid employees during a Catastrophic Event.

The City of Lake Jackson shall endeavor to adequately compensate those essential paid staff members who are required to sacrifice their personal safety, as well as the safety and well-being of their families, during a time of emergency for the greater good of the people and property of Lake Jackson.

II. IMPLEMENTED

This policy shall be implemented in the event of certain catastrophic events including, but not limited to: hurricanes, floods, tornados, wildfire, winter storms, earthquake, pandemic illness and other Acts of God; nuclear, chemical and biological emergencies; terrorist attack(s); or any other emergency or disaster declared by a federal, state or local authority.

The Catastrophic Event Personnel Policy is in effect for any event declared by the City Manager as catastrophic in nature lasting twenty-four (24) hours or more at his/her discretion.

The City Manager determines work hours and/or shifts for all essential personnel during a Catastrophic Event.

III. PARTICIPATING EMPLOYEES

The Catastrophic Event Personnel Policy applies to all regular full-time and part-time City of Lake Jackson employees, whether exempt or non-exempt, and specifically includes appointed officials and excludes elected officials.

IV. HAZARD PAY

Hazard Pay = Employee's hourly rate x 24 (hrs)

V. ESSENTIAL / NONESSENTIAL STATUS

A. Employees that do not report to work and have been deemed nonessential are to be paid their regular work hours throughout the event.

- B. Employees that are deemed essential, but ordered to evacuate to another location outside of the city will be paid their regular work hours plus all actual hours worked.
- C. All essential employees that remain in the city to work the event will be paid any actual hours worked plus **HAZARD PAY** (Per day throughout the event).
- D. In lieu of paying exempt status employees any additional hours beyond a regular work week the City Manager has the option to increase their personal leave hours instead.

POLICY & PROCEDURE MANUAL

Section: Approved Leave
Policy: Sick Leave
Policy No: 1101
Effective: June 2007
Revised: November 2006, April 2017

SICK LEAVE (FT, PT)

- I. Sick leave is intended to provide all regular full-time and regular part-time employees with a "bank" of paid leave in which they may deposit accrued sick leave to assist them during personal illness or injury, or an illness or injury of a member of an employee's immediate family. The following are considered immediate family for use of sick leave:

Immediate Family:

Husband	Father-in-law
Wife	Mother-in-law
Son	Daughter
Mother	Father
Brother	Sister
Step Parents	Step and Foster Children

Any other blood relative who is an actual member of the employee's household

It is the responsibility of the department supervisor/director to control the use of sick leave benefits as deemed necessary and to disapprove any claims not properly substantiated. (See also Family Leave - 1108)

- II. Sick leave is accrued and charged on the basis of:
- A. One day per month or 12 days per year for regular full-time employees.
 - B. For regular part-time employees, who work more than 20 hours a week on a regular basis, sick leave accrues on the same ratio to 8 hours as the ratio their regularly scheduled work bears to 40 hours. Regular part-time employees earn one day of sick leave for every two months worked. Regular part-time employees may accrue up to 12 days of sick leave. Regular part-time employees who work on average less than 20 hours per week are not eligible for sick leave benefits.
 - C. A maximum of 120 days may be accrued by Regular full-time employees.
 - D. Employees terminating employment from the City for any reason do not receive pay for unused sick leave days. Sick leave days may not be sold back to the City for cash.

III. Eligibility/Use

- A. An employee will earn a day of sick leave for the month he/she is hired. An employee leaving the employ of the City after the 15th of the month will have earned a day of sick leave for that month.
- B. Sick leave is accrued but may not be used during the first six months for new hires. Leave taken for illness during the first six months will be leave without pay.
- C. Sick leave is granted in 1-hour increments only. A doctor's note, verifying illness, may be required by the supervisor. If upon request, no doctor's note is provided, then the time off will be charged as an unexcused absence without leave.
- D. Employees who become ill during the period of their personal leave may request their time ill be charged to sick leave.
- E. Frequent claiming of sick leave benefits constitutes just grounds for the assumption by the department supervisor that the physical condition of the employee is below the standard necessary for the proper performance of the employee's duties. Department heads may dismiss, demote, suspend or deny promotion or salary increases for an employee whose attendance is unsatisfactory. Likewise, evidence of abusing the sick leave benefit constitutes grounds for disciplinary action or dismissal (such as developing a habit of taking sick leave on Fridays, Mondays, or before and after a holiday).
- F. Employees who use up all their sick leave and personal leave benefits during an illness (or surgery and recovery time) may be placed on leave without pay, unless salary continuation is authorized by the City Manager. *Refer to Family Leave Section 1108.
- G. After surgery, or an extended illness, employees should return to work as soon as possible upon receiving written approval of their physician. The City reserves the right to obtain a copy of the medical report.
- H. When an employee has exhausted all his personal and sick leave benefits, and has been placed on leave without pay, the Personnel Office and City Manager will review each case on an individual basis to determine if the employee is physically capable of continuing his job with the City.
- I. When an employee has exhausted all their personal and sick leave, they must contact the Personnel Office about making arrangements to pay for their dependent health and dental coverages. See Family Leave 1108.

- J. The City reserves the right to request a medical examination, by a physician chosen by the City, to confirm continued disability.
- K. An employee who chooses to extend their leave beyond the time their physician has recommended, may be deemed to have resigned their position upon expiration of the time recommended by their physician (or by the physician chosen by the City).

POLICY & PROCEDURE MANUAL

Section: Approved Leave
Policy: Jury Duty / Absence for Voting
Policy No: 1102
Effective: January 2007
Revised: November 2006

JURY DUTY / ABSENCE FOR VOTING (FT, PT)

All employees entitled to vote at National, State, County, or Municipal elections, or who are required to attend jury service or testify as a witness, shall when necessary, be allowed sufficient time off with pay to exercise these rights. Time for appearance in court for personal business will be the individual employee's responsibility.

POLICY & PROCEDURE MANUAL

Section: Approved Leave
Policy: Military / Reserve Service Leave
Policy No: 1103
Effective: June 2007
Revised: November 2006

MILITARY / RESERVE SERVICE LEAVE (FT, PT)

An employee is granted military leave in accordance with the State Statutes relating to military leave and more specifically Texas Government Code, Section 431.005, and any statutes or amendments superseding the same. A maximum of 15 days may be taken in one calendar year for annual training. If an employee is called to active duty in a crisis situation, the City will restore an employee to his position or a position of equal or similar status upon termination of active duty, provided the employee reports to work within ninety (90) days after termination of active duty.

The City of Lake Jackson will abide by all the provisions of the Uniformed Services Employment and Re-Employment Act (USERRA) and will grant military leave to all eligible full-time and part-time employees. Military leave may be granted to full-time and part-time employees for a period of four (4) years plus a one-year voluntary extension of active duty (5 years total), if this is at the request and for the convenience of the United States Government.

As with any leave of absence, employees must provide advance notice to their supervisor of their intent to take military leave and must provide appropriate documentation.

An employee's salary will not continue during military leave unless required by law. However, employees may request to use any vacation or personal leave time accrued during military leave. Benefit coverage will continue for 31 days as long as employees pay their normal portion of the cost of benefits. For leaves lasting longer than 31 days, employees will be eligible to continue health benefits under COBRA and will be required to pay 102% of the total cost of their health benefits if they wish to continue benefits.

Upon return from military leave, employees will be reinstated with the same seniority, pay, status, and benefit rights that they would have had if they had worked continuously. Employees must apply for employment within ninety (90) days of discharge from the military. Employees who fail to report for work within the prescribed time after completion of military service will be considered to have voluntarily terminated their employment.

If employees are reservists in any branch of the Armed Forces or members of the National Guard, they will be granted time off for military training. Such time off will not be considered vacation time. However, employees may elect to have their reserve duty period be considered as vacation time to the extent they have such time available.

POLICY & PROCEDURE MANUAL

Section: Approved Leave
Policy: Bereavement Leave
Policy No: 1104
Effective: June 2007
Revised: November 2006

BEREAVEMENT LEAVE (FT, PT)

The City recognizes the need for time away from work in instances of personal loss. The City of Lake Jackson grants a maximum of three days paid leave to regular full-time and regular part-time employees in case of death of family members. Uses of this leave may include making funeral arrangements and attending funeral services including travel time. The following are considered family members:

Immediate Family:

Husband	Brothers	Brother-in-law
Wife	Sisters	Sister-in-law
Son	Step and Foster Children	Daughter-in-law
Daughter	Or other member of the employee's household	Grandparents
Mother	Father-in-law	Grandchildren
Father	Mother-in-law	Step Parents

One day of paid leave may be granted to attend funeral services for the following relatives other than those listed above:

Other Family

Uncle	Grandfather-in-law	Great Grandfather
Nephew	Aunt	Grandmother-in-law
Great Grandmother	Niece	Daughter-in-law

I. ADMINISTRATIVE PROCEDURES

- A. For each instance of death in the immediate family (other than spouse of dependents) all regular full-time and part-time employees may be granted leave upon supervisor and City Manager approval. Leave is not to exceed three

(3) paid calendar days. The three-day length is at the option of the supervisor and City Manager; it is not automatic. It is assumed that one day is needed to attend the funeral services; however two to three calendar days may be necessary if travel is involved. In addition, an employee may utilize up to five (5) days sick leave following the death of a spouse or dependent. Additional sick leave or other leave may be approved by the City Manager if all sick leave has been exhausted.

- B. Regular full-time and part-time employees may be granted up to four (4) hours of paid leave to attend funeral services of a close personal friend, co-worker, or relative other than those listed above, when the services occur during scheduled work hours. Employee leave for such attendance is conditional upon supervisor approval, work load, and need of the City.
- C. In all cases when death has occurred, an employee has the option of taking personal leave to extend the absence from work.
- D. Bereavement pay will not be granted for:
 - 1. More than one weekday immediately following the day of the funeral of the immediate family listed in the first paragraph of this guideline.
 - 2. Any day after the funeral for members of the family as described in Other Family members.
 - 3. Regularly scheduled days off, days for which the employee is on disciplinary layoff.
 - 4. Paid holidays, paid personal leave, jury duty or for any day for which the employee is already being paid.
 - 5. Extended military leave of absence, maternity or paternity leave, leave of absence for illness or injury, or for absence in connection with a workers' compensation claim.
- E. There shall be no payment of bereavement leave on separation. Nor shall there be accumulation or carry over of bereavement leave from one fiscal year to the next fiscal year.
- F. Use of bereavement leave on a false claim of death shall be cause for immediate disciplinary action, up to and including termination and forfeiture of all City benefits accumulated to date.
- G. Variations to this policy may only be granted by the City Manager on an individual, case by case basis.

H. Temporary employees are granted the time off as “leave without pay”.

To be eligible for the excused absence and pay provisions of this policy, employees are to request bereavement leave through their supervisor. The City reserves the right to request all pertinent information including deceased relative's name, the name and address of the funeral home, and the date of the funeral.

POLICY & PROCEDURE MANUAL

Section: Approved Leave
Policy: Personal Leave Without Pay
Policy No: 1105
Effective: June 2007
Revised: November 2006

PERSONAL LEAVE WITHOUT PAY (FT, PT, T/S)

There may be the rare occasion when an employee is faced with an emergency or special circumstance and needs to take an unpaid personal leave of absence. Special leave without pay may be granted upon evidence of adequate justification and by a recommendation of approval by the department director and supervisor. Leaves without pay must be approved by the City Manager, (See also Family Leave - 1108).

Each request for a personal leave of absence without pay will be evaluated on an individual basis, taking into consideration the length of the leave and the interest of the City. Generally, a personal leave of absence shall not exceed two (2) calendar weeks. A longer personal leave of absence may be granted only under extreme circumstances and must be approved by the City Manager.

If an employee is granted and takes a personal leave of absence, his/her other benefits may be affected. The City cannot guarantee employees their original position or that an equivalent position will be available when they return.

Failure to report back to work on the first day after expiration of the personal leave of absence without pay will be considered as a voluntary termination of employment.

POLICY & PROCEDURE MANUAL

Section: Approved Leave
Policy: General Leave With Pay
Policy No: 1106
Effective: June 2007
Revised: November 2006

GENERAL LEAVE WITH PAY (FT, PT)

Leave with pay may be granted for extraordinary reasons as communicated by the employee, verified by the direct supervisor, and approved by the respective department director and City Manager. Leave with pay may be granted to employees wishing to donate blood, at discretion of their direct supervisor (in 1 hour increments, up to ½ day).

An employee may also apply for a short leave to attend an approved convention, conference, or short training course, which will be of mutual benefit to the employee and the City. The respective department director must approve each request.

When leave with pay is granted to attend matters related to City affairs, the City will cover travel expenses. Upon returning, an employee must submit a detailed written statement of all expenses incurred. (See Travel Expenses - 1401)

In summary, general (as opposed to sick, personal, bereavement, family, accident or injury, etc.) leave with pay may be granted to:

1. To attend professional conferences, training schools, short training courses, or approved conventions, which will be of mutual benefit to the employee and the City;
2. To vote;
3. To serve on a jury;
4. At the discretion of the City Manager; and,
5. Pursuant to Disciplinary Action Process (901) and Investigation and Inspection (813).

POLICY & PROCEDURE MANUAL

Section: Approved Leave
Policy: Workers' Compensation
Policy No: 1107
Effective: November 2006
Revised: February 2022

WORKERS' COMPENSATION

I. Eligibility

All Employees injured within the course and scope of their employment are covered by the Workers' Compensation Act as it applies to political subdivisions.

II. Administration

The Workers' Compensation program is administered by the Personnel Department.

III. Report of Injury

All injuries which occur on the job, no matter how minor, must immediately be reported to the Employee's Supervisor. Failure to do so could lead to loss of benefits.

IV. Benefits

Basic salary and medical benefits are provided for in accordance with the terms of the Workers' Compensation Act. Employees who are unable to report to work will automatically be considered on Family and Medical Leave under the Family and Medical Leave Act of 1993.

V. Procedures

- A. Personnel Department reports injury promptly to Insurance.
- B. Workers' Compensation will provide compensation on the eighth calendar day of the employee's absence from work.
- C. Employees may opt to use injury-with-pay for the first forty (40) hours or first five workdays of an injury. If an employee received a Workers' Compensation payment for the injury, then they will not also be paid by the City.

- D. The City will make no payment to the employee through payroll until such time as the employee returns to work.
- E. Sick and vacation time will not accrue while the employee is out on leave.
- F. The employee will be responsible for making arrangements to pay all supplemental insurance payments and any other payroll deductions while the employee is off on injury status.
- G. When the employee is released to return to work before the 180th day, the employee will be placed back on the City payroll with full wages.

VI. Termination of Employment

An Employee, with proper medical authorization, may remain on workers' compensation leave for a maximum of 180 calendar days. At that time, if the Employee is not able to return to work, the employee will be laid off. Note: The 180 calendar days includes any modified duty assignment.

POLICY & PROCEDURE MANUAL

Section: Approved Leave
Policy: Family and Medical Leave
Policy No: 1108
Effective: June 2007
Revised: December 2015

FAMILY AND MEDICAL LEAVE (FMLA) (FT)

Pursuant to the Family and Medical Leave Act (FMLA) of 1993, the following types of family leave are provided:

I. DEFINITIONS

Child: A biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis (in place of a parent). The child must be under eighteen (18) years old, or 18 or older and incapable of self-care because of mental or physical disability.

Health Care Provider: A doctor of medicine or osteopathy, podiatrist, dentist, clinical psychologist, optometrist, chiropractor, nurse practitioner, nurse mid-wife, or Christian Science practitioner.

Parent: The biological parent of an employee or an individual who stood in loco parentis to any employee when the employee was a child but not a "parent in-law".

Reduced Leave Schedule: A leave schedule that reduces the usual number of hours per work week, or hours per work day, of an employee.

Serious Health Condition: An illness, injury, impairment, or physical or mental condition that involves:

1. Any period of incapacity or treatment in connection with or consequent to in-patient care in a hospital, hospice, or residential medical care facility;
2. Any period of incapacity requiring absence from work of more than three (3) calendar days that also involves continuing treatment by a health care provider;
3. Continuing treatment by a health care provider for a chronic or long-term health condition that is incurable or so

serious that, if not repeated, would likely result in a period of incapacity of more than three (3) calendar days; and

4. Prenatal care.

Spouse: A husband or wife as defined or recognized under state law for purposes of marriage, including common-law marriage.

Servicemember is a person who:

- Is currently a member of the military, including National Guard and Reserves, or who is on the temporary disability retired list, and who,
 - Has a condition that was incurred in the line of duty while on active duty which prevents the performance of his or her military duties, and who,
 - Is receiving treatment or therapy for that condition as an outpatient.

Recovering Servicemember: A member of the Armed Forces who suffered an injury or illness while on active military duty that may render the person unable to perform the duties of the member's office, grade, rank or rating.

Qualifying Exigency: Exists when the employee's spouse, son, daughter, or parent—"servicemember"—is in one of two statuses. The concept of loco parentis applies here just as above. The first status is that of actually being on **active duty**. The second status is that of being on **call to active duty**. The latter status exists when the person has received either formal orders for active duty or has received "notification" of impending orders to active duty.

Next of Kin: must be a blood relative. It can be a blood relative designated in writing by the servicemember. If there is no designation, next of kin in descending order are the blood relative with legal custody, parents, siblings, grandparents, aunts, uncles, and first cousins. Any and all are entitled to leave, whether taken simultaneously or not. There is no requirement for sharing leave. If there is a designation, no other person shall be considered next of kin for purposes of servicemember leave. The City may require reasonable documentation or statement of family relationship.

II. ELIGIBILITY

Employees are eligible to take family leave if they have been employed by the City for at least twelve (12) months and have worked at least 1,250 hours for the City in the twelve (12) months preceding the leave requested.

Servicemember Leave: Family Leave has been expanded to provide Family and Medical Leave due to a call to active military duty. This benefit provides 12 workweeks of unpaid FMLA leave due to a spouse, son, daughter or parent being on active military duty or having been notified of an impending call or order to active military duty in the Armed Forces. Leave may be used for any "qualifying exigency" arising out of the

servicemember's current tour of active military duty or because the servicemember is notified of an impending call to military duty in support of a contingency operation.

Also a caregiver needing leave to provide care for an injured servicemember is eligible for extended Family and Medical leave. This benefit provides 26 workweeks of unpaid FMLA leave during a single 12-month period for a spouse, son, daughter, parent, or next of kin caring for a recovering service member.

The concept of "loco parentis" applies to servicemember leave as it has with other forms of FMLA leave. As applied to servicemember leave, a person is "loco parentis" if day-to-day responsibility for care and financial support existed in the past for a significant period of time.

III. LEAVE PROVISIONS

Eligible employees are entitled to twelve (12) weeks unpaid leave during the 12-month period measured backward from the date an employee uses any leave, for any of the following reasons:

- A. The birth or placement with the employee for adoption or foster care of a child;
- B. The serious health condition of a spouse, child, or parent; or
- C. The employee's own serious health condition.
- D. Qualifying Exigency

When medically necessary because of a serious health condition of the employee's spouse, child, or parent, or because of the employee's own serious health condition, leave may be taken intermittently or on a reduced leave schedule.

If an employee requests intermittent leave, or leave on a reduced leave schedule, which is foreseeable based on planned medical treatment, the City may require the employee to transfer temporarily to an available alternative position, which has equivalent pay and benefits, and better accommodates recurring periods of leave than the regular employment position of the employee.

If both spouses are employed by the City, they are entitled to a total of twelve (12) weeks of leave (rather than 12 weeks each) for the birth, adoption, or placement in foster care of a child, or for the care of a sick parent. The entitlement to leave for a birth or placement of a child expires at the end of a 12-month period, beginning on the date of the child's birth or placement.

IV. USE OF ACCUMULATED LEAVE

The City may require an employee to count paid personal, or sick leave toward the 12 weeks leave period. The City must provide only enough unpaid leave to equal 12 weeks of total leave, including all paid and unpaid leave.

V. CERTIFICATION

The City requires that any requests for leave because of a serious health condition of a spouse, child, or parent, or of the employee be supported by certification from the appropriate health care provider. Sufficient certification must be submitted within fifteen (15) calendar days or as soon as practicable, of requesting leave. Medical certification forms are available from the Personnel Department upon request. Employees returning from leave taken because of the employee's own serious health condition must present a health care provider's certification that the employee is able to resume work, including any limitation the employee may have as a result of his or her serious health condition. The City reserves the right to seek, at its own expense, a second, and, if necessary, a third opinion to clarify medical certification of the need for leave.

VI. REINSTATEMENT

Employees returning from Family Leave shall be reinstated to the same position or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. The job to which an employee is restored must be virtually functionally the same as that from which leave was taken.

In order to deny reinstatement to a key employee, the City must:

- A. Notify the employee in writing of his or her status as a key employee in response to that employee's notice of intent to take family leave;
- B. Give the employee written notice as soon as the employer decides it will deny job restoration and explain the reasons for that decision;
- C. Offer the employee a reasonable opportunity to return to work from leave after giving this notice; and
- D. If the employee requests reinstatement at the end of the leave period, the City must give the employee a final written determination as to whether reinstatement will be denied.

In addition, the City may deny reinstatement to any employee if that employee would have been laid off or terminated had the employee remained at work, or if the employee did not provide a required return-to-work medical certificate or has unequivocally advised the City that he or she does not intend to return to work.

VII. BENEFITS

An employee on leave shall not lose any employment benefits accrued prior to the date on which leave began. Health, dental, and life insurance coverage will remain in effect for employees of the City while on leave. Dependent coverage will remain in effect so long as the employee pays the monthly premiums. If the employee fails to return from leave once his or her leave has expired and the employee fails to return to work for a reason other than the continuation, recurrence or onset of a serious health condition, the City may recover the premium that it paid for maintaining coverage under the City's group health plan for the employee on leave.

VIII. NOTICE BY EMPLOYEE

When the need for leave is foreseeable based on the birth, adoption, or placement of a child, or planned medical treatment, the employee requesting leave should give the City not less than thirty (30) day's notice, before the date the leave is to begin, of the employee's intention to take leave. When the leave must begin in less than thirty (30) days, the employee should give notice to the City of the need for leave as soon as practicable.

In cases when the employee requests leave for planned medical treatment, the employee should make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the City. Failure to provide notice as required under this policy may result in delaying leave until at least thirty (30) days after the date the employee provides notice of the need for leave. Nothing in this family and medical leave policy modifies or alters the City's policy regarding automatic discharge for failure to report an absence within three (3) days.

IX. NOTICE BY THE CITY

The City shall post conspicuously and keep posted a notice explaining the act and the procedure for filing complaints. The notice cannot be smaller than 8 ½ x 11 inches and must contain legible type.

In addition, once an employee requests leave under the Act, the City has an affirmative duty to provide the following specific information to the employee:

- A. That the leave will be counted against the employee's annual family and medical leave entitlement;
- B. Any requirements that the employee furnish medical certification of a serious health condition and the consequences for failing to do so;

- C. The employee's right to substitute paid leave and whether the employer will require the substitution of paid leave, and the conditions related to any substitution;
- D. Any requirement for the employee to make any premium payments to maintain health benefits and the arrangements for making such payments;
- E. Any requirement for the employee to present a fitness-for-duty certificate to be restored to employment;
- F. A key employee's status as such and the political consequence that restoration may be denied, explaining the conditions required for such denial;
- G. The employee's right to restoration to the same or an equivalent job upon return from leave; and,
- H. The employee's potential liability for payment of health insurance premiums paid by the employer during the employee's unpaid family and medical leave if the employee fails to return to work after taking family and medical leave.

This notice may also include other information, as the City deems relevant.

X. CONTINUATION OR RECURRENCE OF SERIOUS HEALTH CONDITION

If an employee requests an extension of leave beyond the 12-week period because of his/her own serious medical condition, the employee must submit medical certification of a continued serious health condition in advance of the request to his/her supervisor or director. The City Manager will review such requests on a case-by-case basis in order to determine whether it can reasonably accommodate such a request. Reinstatement is not guaranteed when granted extended leave and will depend upon the business needs of the City.

POLICY & PROCEDURE MANUAL

Section: Approved Leave
Policy: Parental Leave
Policy No: 1109
Effective: November 2016
Revised: November 2016

PARENTAL LEAVE

I. DEFINITIONS

Paid parental leave is available to mothers and fathers for the birth of the employee's child or the placement of a child with the employee for adoption or foster care without regard to the marital status or sexual orientation of the parenting individual.

II. ELIGIBILITY

Employees are eligible to take parental leave if they have been employed by the City for at least twelve (12) months and have worked at least 1,250 hours for the City in the twelve (12) months preceding the leave requested.

III. LEAVE PROVISIONS

The paid parental leave benefit:

- a. 30 working days for a maximum of 240 hours (six weeks) for employees who are pregnant with a child.
- b. 15 working days for a maximum of 120 hours (three weeks) for all other employees who qualify for parental leave.

Parental leave must be taken within the FMLA period associated with the date of the birth or placement of a child for adoption or foster care. Parental leave runs concurrently with FMLA. Employees must take parental leave consecutively.

POLICY & PROCEDURE MANUAL

Section: Approved Leave
Policy: Extended Leave
Policy No: 1110
Effective: January 2007
Revised: December 2006

EXTENDED LEAVE (FT, PT)

Purpose:

To encourage employees to return to work, plan delivery of service in an orderly and efficient manner, and to give employees who need extended leave for reasons of personal illness or injury a reasonable amount of time to recuperate and recover, the City of Lake Jackson is adopting the following policy:

Policy

If an employee's illness or injury requires a leave of absence for more than 12 weeks, the City of Lake Jackson will, with satisfactory medical documentation, extend an employee's leave for an additional (**Options: 14 weeks, 27 weeks, or 39 weeks**). At no time will the total exceed (**Options: 26 weeks, 39 weeks or 52 weeks or 1 year**). The City of Lake Jackson will grant the employee reinstatement to his/her position (assuming it has not been filled or eliminated) at the end of the (**Options: 26 week period, 39 week period, or 52 week period**), if the employee can continue to perform the essential functions of the position with or without accommodation.

The Department Director and Supervisor may recommend approval of extended leave upon evidence of adequate justification. The City Manager is the final authority for approving extended leave.

Extended leave is unpaid leave. Extended leave may only be requested after all vacation; sick leave; and Family and Medical Leave Act (FMLA) leave benefits are exhausted.

Employees receiving Workers' Compensation salary continuation benefits, although they have not exhausted their accrued sick and vacation leave, will be considered to be on extended leave after their FMLA benefits have been exhausted.

The City of Lake Jackson will maintain health benefit coverage on the eligible employee during this extended leave period. However, the employee will be responsible for the cost of the health insurance premiums on any health insurance coverage he employee's family is receiving through the City of Lake Jackson during the extended leave period, unless otherwise provided by law.

While on Extended Leave, employees are required to report periodically to their supervisor, at least every 30 days, regarding the status of their medical condition and their intent to return to work. Employees may be required to provide satisfactory medical documentation substantiating their need for continued leave.

Employees returning to work following extended leave are required to have a Work Steps' Assessment done certifying that they can perform the essential functions of the job with or without accommodation.

If at the end of the Extended Leave, an employee is still not able to return to their job because they are unable to perform the essential job functions, with or without reasonable accommodation, due to illness or injury, then the City of Lake Jackson will allow the employee to apply for any open position that the employee is qualified for and capable of performing with or without accommodation. In all events, if an employee is unable to return to either their job or an open position which they are qualified for and capable of performing, because of illness or injury pass the extended leave period, the employee shall be separated from employment.

The City does not guarantee job protection for employees on extended leave and reserves the right to fill positions based upon the needs of the City. An employee whose job was filled while on extended leave is eligible to apply for any open position for which he/she is qualified. If no position is available, the employee will be terminated. The City's policy prohibiting rehiring former employees does not apply to persons terminated whose job was filled or eliminated while on extended leave.

Employees receiving Workers' Compensation and extended leave benefits simultaneously will be able to remain on extended leave for a maximum number of 90 calendar days plus the number of days equal to their accrued vacation and sick leave. Employees unable to return to work and perform the essential job functions following the combined **90 calendar day** extended leave period plus accrued vacation and sick leave will be terminated.

POLICY & PROCEDURE MANUAL

Section: Approved Leave
Policy: Sick Leave
Policy No: 1111
Effective: February 2022
Revised: February 2022

SICK LEAVE POOL

- I. The City has established a Sick Leave Pool Program for the benefit of Employees who suffer a catastrophic injury or illness. Eligibility for such benefits must be of necessity and be stringent to avoid rapid depletion of the Pool. It is thus necessary to define a catastrophic injury or illness as being a severe condition or combination of conditions affecting the mental or physical health of an Employee or their immediate family that requires the services of a licensed practitioner in excess of one continuous month.
- II. Contribution to the Pool
 - A. Contribution to the Sick Leave Pool is voluntary. All Employees are encouraged to contribute. Unless otherwise eligible as provided herein, days donated by an Employee may not be recovered or recaptured.
 - B. Employees desiring to contribute to the Sick Leave Pool must submit a contribution form to the Personnel department. Contact the Personnel department for the appropriate form.
 - C. An Employee may contribute 4 or more hours (increments of 4) of accrued vacation leave earned by the Employee to the pool.
 - D. Upon receipt of a contribution form, the Personnel department will credit the Sick Leave Pool with the amount of time contributed by the Employee. In addition, the Personnel department will deduct the same amount of time from the amount to which the Employee is otherwise entitled, as if the Employee had used the time for personal purposes.
 - E. Employees may not designate the recipient of their donations.
- III. Withdrawal from Pool
 - A. An Eligible Employee is entitled to apply for contributed time from the Sick Leave Pool if the Employee has suffered a catastrophic injury or illness, the Employee has exhausted all the sick leave and personal leave to which the Employee is otherwise entitled, and has not received nor been eligible to receive, employment pay from the City for a minimum of one week.
 - B. Time used from the Sick Leave Pool shall be counted for purposes of the Family Medical Leave Act.

- C. No employee may use more than 90 - calendar days (8-hour days) per rolling year from the Sick Leave Pool.

IV. Rules

- A. Applications to the Sick Leave Pool are on a first come first serve basis.
- B. Only full-time employees who have completed their probationary period are eligible to participate in the Sick Leave Pool.
- C. An eligible Employee or a member of the Employee's immediate family, in the event of the Employee's incapacity must apply to the Personnel department for permission to use time in the Sick Leave Pool.
- D. All medical information obtained by the Personnel department will remain confidential.
- E. Requests for time from the Sick Leave Pool must:
 - 1. Give a statement sufficiently describing the illness or injury to enable the Personnel department to determine that the illness or injury is catastrophic.
 - 2. Be accompanied by a statement from a licensed practitioner which gives the date of onset of the catastrophic illness or injury, the diagnosis and the prognosis, and the date it is anticipated the Employee will be able to return to work.
- F. If the Sick Leave Administrator determines that the Employee is eligible, the Administrator shall, as soon as practicable, approve the transfer of time from the pool, advise the Employee and the Employee's Department Head of the amount of time approved which will be credited to the Employee.
- G. An Eligible Employee absent on sick leave assigned from the Sick Leave Pool is treated for all purposes as if the Employee were absent on earned sick leave.
- H. The estate of a deceased Employee is not entitled to payment for unused sick leave acquired by that Employee from the Sick Leave Pool.
- I. Any unused time will be credited back to the Sick Leave Pool.

POLICY & PROCEDURE MANUAL

Section: Termination of
Employment
Policy: Termination of
Employment Procedures
Policy No: 1201
Effective: June 2007
Revised: November 2006

TERMINATION OF EMPLOYMENT PROCEDURES (FT, PT)

I. EXIT INTERVIEW

The Personnel Office or Department Head conducts an exit interview for all employees terminating employment with the City. The interview is for the purpose of completing the employee's file by listing the person's reason for leaving city employment, and other information relative to the termination.

II. TERMINATION OF EMPLOYMENT CHECKLIST

The Personnel Office or Department Head will review the TERMINATION OF EMPLOYMENT checklist with each terminating employee in order to insure that all issued equipment owned by the City is returned, such as uniforms, ID's, keys, etc.

III. INSURANCE CONTINUATION

The federal government has enacted the Consolidated Omnibus Reconciliation Act of 1985 (COBRA), which allows certain individuals the option of continuing their group health insurance under specified conditions.

Employees and their dependents are eligible to continue insurance for up to 18 months when termination of insurance is due to a reduction in hours worked, or upon termination of employment.

Dependents are eligible to continue their insurance for up to 36 months upon the occurrence of the following events.

- A. The spouse and children upon the death of the covered employee.
- B. The spouse, upon divorce or legal separation from the employee.

- C. The spouse and children of Medicare-eligible employees, when the employee ceases to participate in the employer-sponsored plan.
- D. Dependent children when they cease to be a dependent child under the definition in the guideline.

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

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

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

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

Questions regarding the right to continue insurance after an employee's termination date should be addressed to the Personnel Office.

POLICY & PROCEDURE MANUAL

Section: **Termination of
Employment**
Policy: **Retirement**
Policy No: **1202**
Effective: **January 2007**
Revised: **November 2006**

RETIREMENT (FT, PT)

An employee is eligible to retire and receive a retirement annuity from the Texas Municipal Retirement System (TMRS) or if the employee:

- A. Is at least 60 years old and has at least 5 years of credited service to the Retirement System.
- B. Has at least 20 years of credited service to the Retirement System. This employee can retire at any age once reaching 20 years of credited service.

POLICY & PROCEDURE MANUAL

**Section: Termination of
Employment**
Policy: Resignations
Policy No: 1203
Effective: June 2007
Revised: November 2006

RESIGNATIONS (FT, PT, T/S)

To resign in good standing, an employee of the City must give 14 days notice to the department supervisor of his/her intention to resign. Employees who terminate their employment other than by discharge will receive their final paycheck on the next scheduled payday.

POLICY & PROCEDURE MANUAL

Section: Termination of
Employment
Policy: Reductions in Force
Policy No: 1204
Effective: June 2007
Revised: November 2006

REDUCTIONS IN FORCE (FT, PT, T/S)

On occasion, departments may be forced to reduce staff. Some business reasons for this may be economic need, consolidation of facilities, restructuring of operations, combining of departments or functions, and streamlining or elimination of departments, functions, or jobs. The City Manager may require the abolition of any position or authorize a reduction in force. If a reduction in staff is deemed necessary, the department director of the area to be affected will work with City Manager to document the business reason and process for the restructuring. Competition for retention is limited to employees holding similar positions. Selection will be based first on performance; secondly, if necessary, on seniority of service; and, on ability to perform work remaining after layoff.

Affected employees are encouraged to seek other positions in the City. In some cases, the City may be able to transfer an employee whose position is being eliminated into another area

POLICY & PROCEDURE MANUAL

Section: **Employee Relations**
Policy: **Counseling and Referral Services**
Policy No: **1301**
Effective: **June 2007**
Revised: **November 2006**

COUNSELING AND REFERRAL SERVICES (FT)

Please See Policy No. 704 (Employee Assistance Program).

POLICY & PROCEDURE MANUAL

Section: Employee Relations
Policy: Problem Solving
Policy No: 1302
Effective: June 2007
Revised: November 2006

PROBLEM SOLVING (FT, PT, T/S)

In an effort to promote improved employer-employee relationships the City of Lake Jackson has an open door policy. Employees, who feel they are being unfairly treated, wish to correct a misunderstanding or desire information concerning their work relationships are encouraged to discuss these concerns with their immediate supervisor or higher levels of supervision.

In the normal operation of any organization, problems or questions may arise. In most instances, a supervisor should be able to give a prompt answer to an employee's questions and will assist in solving problems.

The express intent of this guideline shall be:

- A. To afford employees an informal yet systematic means of obtaining consideration of their concerns.
- B. To insure that an employee who presents a problem in good faith and in a reasonable manner will be free from reprisal.
- C. To insure that problems are settled as near as possible to the point of origin.

PROCEDURE:

I. LET'S TALK IT OVER

- A. In most instances, employees should first discuss a particular problem with their immediate supervisor.
- B. If, for legitimate reasons, employees feel that they are unable to discuss the problem with their immediate supervisor or that the problem has not been resolved at that level, they are encouraged to present the problem to the next higher supervisory authority.
- C. In the event the employees feel they are unable to discuss the problem with the next higher supervisory authority or that the problem has not been resolved at that level, they are encouraged to

present the problem to the next applicable authority in the chain of command outlined below:

1. "Immediate supervisor" is defined as the person to whom an employee directly reports.
2. "Next higher supervisory authority" is defined as the person to whom the employee's immediate supervisor directly reports.
3. The "next applicable authority" may be a Division Manager, Department Director or the Personnel Director.
4. The City Manager will have final authority within the chain of command.

II. SUPERVISORY RESPONSIBILITIES

- A. Supervisory staff members will ensure that every reasonable effort is made to respond to employee complaints, problems and grievances as expeditiously as possible.
 - B. Knowledge of any attempt of harassment, reprisal, intimidation, discrimination or other form of retaliation toward employees as a result of their implementation of this guideline will be immediately forwarded to the Personnel Director/City Manager.
 - C. Actions and/or solutions may be documented in writing and forwarded through the appropriate chain of command if it would be in the employee's best interest.
- III. Confidential counseling having to do with personal or job related problems and concerns is available to all City employees through the Personnel Director.

POLICY & PROCEDURE MANUAL

Section: Reimbursement of
Employee Expenses
Policy: Travel Expenses
Policy No: 1401
Effective: January 2007
Revised: April 2025

TRAVEL EXPENSES (FT)

I. APPROVAL REQUIRED FOR TRAVEL ON CITY BUSINESS

When funding is available, the City will pay expenses for travel required to take care of City business. City employees must be traveling at the direction or with the approval of their department directors. The City will not be liable for any employee travel expenses unless the employee has the prior approval of his or her department director.

II. TRANSPORTATION

City Vehicle

City vehicles should be used whenever possible except outside of the radius of the Houston Galveston Area. Gasoline, parking and tolls will be reimbursed by the City. Receipts for all reimbursement requests must be submitted with the Travel Expense Report.

Personal Vehicle

The rate of reimbursement for employees utilizing their personally owned vehicle shall be the most recent published Internal Revenue Service allowance on the basis of the shortest practical route between points. Receipts for all reimbursement requests must be submitted with the Travel Expense Report.

Employees receiving a car allowance will be reimbursed for any mileage outside of the radius of the Houston Galveston Area.

When authorized, the City will pay auto rental charges for an employee in travel status. All rentals must go through the City Manager's office. Purchased gas in rental cars shall normally be reimbursed provided receipts are submitted.

Air Travel

All airline tickets must be booked at the lowest available airfare in economy or coach class. Flight arrangements should be made at least twenty-one (21) days in advance to obtain the lowest possible airfares. The Department Director should approve airfare for flights booked less than twenty-one (21) days in advance or greater than \$350 prior to making the reservation.

Airline tickets should be purchased using a City credit card whenever possible. If a personal credit card is used to purchase an airline ticket, this expense will be reimbursed after the trip is completed and upon receipt of proper documentation by the City.

Taxis and Other Local Transportation

The cost of taxis to and from places of business, hotels and airports in connection with business activities will be reimbursed by the City upon submission of receipts.

III. PER DIEM ALLOWANCE

Per Diem allowance shall be provided to accommodate meals, tips and incidentals. Per Diem shall be provided consistent with the most current allowances as set by law. Access the U.S. General Services Administration website, www.gsa.gov and click on the Per Diem Rate Lookup under the Travel Tab.

Meals provided in the registration or by an event or other agency, should be deducted from the per diem reimbursement allowance (except for medical, dietary or religious reasons as outlined in the GSA regulations). Please refer to the Meals & Incidental (M&IE) Breakdown at www.gsa.gov.

Per Diem allowance shall be prorated for the day of departure and the day of return according to GSA guidelines, currently 75% for each of the two traveling days.

Meals for training or during travel that does not include an overnight stay are not reimbursable.

IV. LODGING

Expenses for lodging must be supported by receipt and will be reimbursed to the employee on actual cost basis for reasonable accommodations. No personal phone calls or meals are to be included, as this is considered covered under the per diem.

V. REQUESTS AND REPORTING PROCEDURES

TRAVEL ADVANCES

Requests shall be submitted to the Finance Department at least ten (10) days prior to date of training, completed with the amount of the request, purpose, nature, location, place of lodging, travel dates and supporting documentation.

Approval – The request must be signed by the traveler and submitted to the Department Head. The Department Head will sign the request indicating approval and availability of funds. The approved travel advance request forms are then forwarded to the Finance Department.

Check Processing – Upon receipt of the approved advance request, the Finance Department will prepare the advance check payable to the traveler. The traveler is personally responsible for the advanced amount until an approved expense report is processed and the difference is refunded or until the full amount is refunded. *The City may deduct any delinquent advance amounts from an employee's payroll check.*

TRAVEL EXPENSE REPORTS

Reports shall be completed within ten (10) days of return by the traveler, with supporting documentation. The expense report shall have attached receipts, hotel bills, etc. sufficient to review the traveler's expenses for compliance with this policy.

The Expense Report form shall be completed and signed by the traveler, reviewed, approved and signed by the Department Head and then submitted to the Finance Department for audit.

The Finance Department shall review the expense report for compliance with this policy and the Finance Director or their designee shall sign the travel expense report or return for further information. After a satisfactory review the Finance Officer shall relieve the traveler of the advanced amount and/or reimburse the traveler for expenses in excess of the advance.

Expense reports and supporting documentation are subject to the Texas Public Information Act and may be disclosed to the public upon submission of an Open Records request.

INELIGIBLE EXPENSES

The following items will not be considered for payment or reimbursement by the City:

- Entertainment including sporting events, theater, in-room movies, etc.
- Alcoholic beverages of any type
- Other items not pertaining to City business
- Spouse's or any other traveling companion's expenses
- Health clubs and spas
- Personal articles (i.e. toiletries, magazines, etc.)
- Business and personal calls from hotels
- Calls to 900 numbers
- Dry cleaning or laundry
- Fines
- Costs resulting from failure to cancel transportation or hotel reservations

The above items are specifically excluded, but the list is not to be considered all inclusive.

POLICY & PROCEDURE MANUAL

Section: Reimbursement of Employee Expenses
Policy: Use of Personal Vehicle
Policy No: 1402
Effective: January 2007
Revised: November 2006

USE OF PERSONAL VEHICLE (FT)

I. REIMBURSEMENT FOR OCCASIONAL USE

Prior approval of the department director must be received before personal use/reimbursement is allowed. The City will pay employees according to date reimbursement rate for using their personal car on City business.

II. MAINTENANCE

The City pays for maintenance costs through the mileage charge. Consequently, the City will not pay employees for separate maintenance. If an employee's vehicle fails to operate and the employee is out of the City limits, the City will pay the cost of towing the vehicle to the nearest garage. If, however, the employee is in the City limits, the City will not pay the cost of towing.

III. INSURANCE

Employees are responsible for informing their insurance companies that their vehicle is used for business. The City will insure employee vehicles to cover the City's liability incurred while driving on City business. Employees are responsible for their own insurance coverage for "uninsured motorist", "collision", and "comprehensive".

POLICY & PROCEDURE MANUAL

Section: Reimbursement of
Employee Expenses
Policy: Reimbursement for
Professional Development
Activities
Policy No: 1403
Effective: January 2007
Revised: November 2006

REIMBURSEMENT FOR PROFESSIONAL DEVELOPMENT ACTIVITIES (FT, PT)

I. REIMBURSEMENT FOR TRAINING, SEMINARS, AND CONFERENCES

With the department director and City Manager approval, the City will pay for training, seminars, and conferences, which are job-related and will improve the performance of the employee. The City will pay for all direct expenses associated with the training (e.g. registration). The City will pay for travel costs as described within Section 1401 (Travel).

II. REQUIRED APPROVAL

All payments for training, seminars, and conferences must have the prior approval of the department director.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Management's Policy Statement
Policy No: 1501
Effective: June 2007
Revised: November 2006

MANAGEMENT'S POLICY STATEMENT (FT, PT, T/S)

It is the goal of the City of Lake Jackson to provide a Safe and Healthful work environment for all employees. The City of Lake Jackson expects all of its employees to work in such a manner that does not expose the employee or co-workers to the risk of injury or unnecessary hazard. To achieve the goal of a Safe and Healthful work place, the City of Lake Jackson has implemented an Accident Prevention Plan for employees and management to follow. This plan has assigned specific safety and health responsibilities for all levels of management. Adherence to this Plan should be considered to be an integral part of each employee's job.

The Accident Prevention Plan will be reviewed annually or as required to determine the effectiveness of the program. Additionally, any substantial changes in operations will require an immediate review of the Plan to determine the impact of the operational changes. The Assistant City Manager will conduct the review(s). The results of any program review(s) will be approved by the City Manager.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: General Administration
Policy No: 1502
Effective: January 2007
Revised: November 2006

GENERAL ADMINISTRATION (FT, PT, T/S)

The City of Lake Jackson desires to provide a safe working environment for its employees. To accomplish this, the City will provide all reasonable safeguards to ensure safe working conditions. The City recognizes the need to follow good safety principles, and therefore, believes that no job is so important and no order is so urgent that we cannot take time to perform our work safely. The cooperation of all city employees in observing safety rules and procedures will provide safe working conditions and accident free performance, which will benefit both the employee and the citizens of Lake Jackson.

I. GOALS

- A. Effective involvement of each and every employee of the City;
- B. Elimination of any and all hazards (current and potential) that expose or create risk of any nature;
- C. A reduction of all work related incidents resulting in injury or illness to any employee or other person associated with our operations;
- D. A reduction of all losses due to incidents resulting in injury or illness to any employee or other person or property damage from such incidents;
- E. An increased awareness of the overall safe operation of all facilities;
- F. An increase in employee morale from knowing their work environment is maintained as free as possible from any and all recognized hazards;
- G. Elimination of all work related injuries and illnesses, property damage, and all associated losses.

II. OBJECTIVES

- A. Implementation of an effective Accident Prevention Plan;
- B. Commitment for ongoing support from each and every level of management and personnel;
- C. Assigned responsibilities and accountabilities for the safety program;
- D. Allocation of adequate resources to the safety program;
- E. Establish lines of communication involving management and employees at all levels for safety and health concerns;
- F. Effective records and documentation maintenance and review
- G. Completion of comprehensive surveys and periodic self inspections
- H. Establishment of effective measures for hazard identification, correction and control;
- I. Implementation of effective orientation and training programs; and
- J. Initiation of regular program review and revision procedures.

The goals will be realized only if the objectives are carried out without hesitation or interruption, and every employee becomes interested in the safety program and its success.

III. ACCIDENT PREVENTION PLAN RESPONSIBILITY

The Assistant City Manager has the responsibility of developing, implementing and enforcing the Accident Prevention Plan.

IV. CHAIN OF COMMAND

In order for any organization to function properly, certain guidelines must be followed. Under normal circumstances, an employee should work with his immediate supervisor to solve any safety problem. If a solution is not possible, the following chain of command should be used:

- A. Crewleader / Foreman / Supervisor
- B. Department Head
- C. Director
- D. City Manager

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Supervisor's Safety Responsibilities
Policy No: 1503
Effective: June 2007
Revised: November 2006

SUPERVISOR'S SAFETY RESPONSIBILITIES (FT)

A supervisor and/or the individual left in charge has direct authority and responsibility for both the safe actions of the department's employees and the safe performance of the machines, equipment, and operations under his supervision. Therefore, a supervisor will:

- A. Assume full responsibility for the safety of his employees.
- B. Train and retrain all employees, new and experienced, in the safe way to do their job, and point out where hazards exist.
- C. Provide training and retraining on vehicle and equipment operation and care. Insure preventative maintenance is performed in accordance with maintenance schedules.
- D. Make sure that the necessary safety equipment and protective devices for each job are provided and properly used. No safety devices will be removed from equipment.
- E. Instruct employees on the benefits and reasons for the use and wear of protective safety equipment.
- F. Take prompt corrective action whenever unsafe conditions and unsafe actions are observed.
- G. Ensure all accidents are promptly reported, regardless of the extent of the injury or property damage.
- H. Investigate thoroughly the causes of all accidents and take corrective action to prevent their recurrence, whether or not there is an injury. The supervisor must report and investigate all accidents and injuries.
- I. Conduct safety inspections of all work areas and operations at least once a month in order to improve housekeeping, eliminate unsafe conditions, and encourage safe work practices.

- J. Instruct all employees regarding disciplinary policy for violations of safety rules.
- K. Remain constantly alert for identification of job hazards.
- L. Make sure employees know and follow safety rules. Each employee will be given a copy of the Accident Prevention Plan and will sign a statement that he has received a copy and understands the content.
- M. Conduct monthly safety meetings and furnish required documentation to the Assistant City Manager.
- N. Take into account safe performance of duties when evaluating an employee during the required performance appraisal.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Record-keeping
Policy No: 1504
Effective: June 2007
Revised: April 2025

RECORD-KEEPING (FT, PT, T/S)

The City of Lake Jackson believes that the only valid means of reviewing and identifying trends and deficiencies in a safety program is through an effective record-keeping program. The record-keeping element is also essential in tracking the performance of duties and responsibilities under the program.

The City is committed to implementing and maintaining an active, up to date record-keeping program.

The Human Resources Department will maintain records of all work-related injuries and illnesses to City employees. The following records are applicable to work related injuries and illnesses and training.

<u>Record Name</u>	Description	Location	Term	Record-keeper
Employee Injury Report	Supervisor's Investigation of Injury	Worker's Comp File	5 Years after Term of Employment	Human Resources Generalist
Vehicle Accident Report	Supervisor's Investigation of Auto Accident	HR File Insurance Claim File Accident Review File	5 Years after Term of Employment	Human Resources Director
Safety Orientation	New Employee Orientation Checklist	HR File	5 Years after Term of Employment	Supervisor Human Resources Generalist
Hazard Report	First Report of Hazard	City Manager's Office	5 Years	Human Resources Director

Monthly Safety Checklist	Facility Inspection Form	City Manager's Office Work Site	5 Years	Human Resources Director
Annual Facility Inspection	Annual Inspection by C.M. & Director	City Manager's Office	<u>5 Years</u>	Human Resources Director
Description				
Location				
Term				
Record-keeper				
<u>Record Name</u>				
Employee Warning Record	Discipline Record	HR File	5 Years after Term of Employment	Human Resources Generalist
Accident Review Board Minutes	Meeting Minutes	City Manager's Office	5 Years	Human Resources Director
Quarterly HR Report	Injury Trends & Analysis	City Manager's Office	5 Years	Human Resources Director
TWCC-1	Injury First Report	Worker's Comp File	5 Years after Term of Employment	Human Resources Generalist
TWCC-3	Wage Statement	Worker's Comp File	5 Years after Term of Employment	Human Resources Generalist
TWCC-6	Return to Work	Worker's Comp File	5 Years after Term of Employment	Human Resources Generalist

I. SAFETY & HEALTH INSPECTION / AUDIT-RECORDS

All injury and illness documentation will be reviewed quarterly by management and the Accident Review Board to analyze occurrences, identify developing trends, and plan courses of corrective actions.

The formal Accident Prevention Plan components will be reviewed in January each year to identify insufficiencies or component failure. Each will be audited individually with the findings documented and recorded. This documentation will be used to identify trends and to track improvement modifications. This documentation will be maintained for review.

II. ACCIDENT REVIEW BOARD MINUTES

The Human Resources Director will maintain accurate records of all proceedings associated with the safety and health program of the City.

Records will include the date, a list of attendees, details of the topics discussed, and action or corrective measures suggested, recommended or taken. The purpose of these is to ensure that decisions affecting the safety and health program of the City are carried out, implemented, and the results are tracked.

During each subsequent meeting, the record of minutes for the previous meeting will be reviewed, discussed, resolved, and the document closed with an authorized signature.

III. TRAINING RECORDS

The Human Resources Director and Supervisors will document and maintain records of all safety and health related training.

All safety and health related training provided to city employees will be documented. This documentation will be maintained as proof of attendance and reviewed to assist in determining the need for additional or repeated training for employees on an individual basis. Records and documentation of training will include the presenter's name, date of training, topic or subject, legible identification of the attendee, and attendees signature. The person providing the training is responsible for generating the documentation. The training record will become part of the employee's permanent file and will be maintained by the Human Resources Department.

IV. ACCIDENT INVESTIGATION RECORDS

The Human Resources Director and supervisors will ensure proper records and documentation of all accident and incident investigation activities are maintained and reviewed.

All accidents resulting in injury or illness to a person, property damage, or the potential for either will be investigated and documented. All items on the designated accident investigation form will be addressed in detail as soon as possible following the accident/incident. The information acquired will be used and reviewed by management, supervisors, the Accident Review Board, and effected employees to establish all contributing factors and causes. From the investigation, a plan of corrective action will be established to prevent recurrence of the mishap. The plan of corrective action and implementation will be documented and reviewed by management.

V. FACILITY INSPECTION & MAINTENANCE RECORDS

The Human Resources Director will maintain records and data pertaining to inspections of the workplace.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Quarterly Accident
Analysis
Policy No: 1505
Effective: June 2007
Revised: April 2025

QUARTERLY ACCIDENT ANALYSIS (FT, PT, T/S)

The Human Resources Director will review and analyze all records and documentation pertaining to the Accident Prevention Plan. This review will be conducted on a quarterly basis with the Accident Review Board and departmental managers. Discussions will focus on hazard and injury analysis and recognizing developing trends. Trend analysis will identify recurring accidents resulting in or potentially involving injury, illness, and/or property damage. The analysis will also recognize repeatedly identified hazards/violations needing corrective action to establish what program component is failing that allows the hazard to exist. Supervisors and the Accident Review Board will provide information and recommendations for corrective measures for trends developing in their areas. Employees will be made aware of developing trends and hazard exposures as they are recognized or at the monthly safety meetings.

Trends of accidents or hazard recurrences will be a focal point for corrective action and employee training as needed.

Corrective measures will be followed by monthly inspection of each location until the casual factor has been eliminated or controlled.

Employee training records will be reviewed during each employee's annual evaluation to ensure an adequate and effective training program is maintained.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Safety Education and Training
Policy No: 1506
Effective: June 2007
Revised: November 2006

SAFETY EDUCATION AND TRAINING (FT, PT, T/S)

The Assistant City Manager has the responsibility for developing and carrying out an aggressive City program of safety education and training. Department heads are to cooperate in every way possible to actively implement safety programs developed by the Assistant City Manager.

The training program shall be administered in two phases consisting of new employee or reassigned orientation and regular periodic training and refresher sessions. Aside from the formal safety and health related training classes, supervisors are responsible for giving guidance and instruction to each employee on safe operating procedures of each assigned job or task.

I. SAFETY ORIENTATION

It shall be each supervisor's responsibility to conduct a Safety Orientation with each new employee, including part-time and temporary employees, during their first week of employment with the City. The supervisor will review the City's and departmental safety guidelines using the Safety Orientation of New Employee Checklist (Safety Orientation Checklist may be specialized to individual departments). Once the Checklist is completed, it will be sent to the Employee's Personnel File for record keeping.

II. DEPARTMENTAL TRAINING

Supervisors are responsible for any additional training required for their respective departments. All managers, supervisors, and employees are required to participate and become involved in the ongoing safety and health training program. The designated trainer or instructor must be well prepared to make the presentation or conduct the training session.

III. MONTHLY SAFETY MEETINGS

Safety meetings will be scheduled monthly and conducted by the Assistant City Manager. The objectives of the safety training are to increase knowledge, change conduct or correct procedures, change attitudes regarding the work place and work environment, and/or maintain job skills. All employees are encouraged to actively participate in safety meetings.

IV. DOCUMENTATION

Any and all safety and health related training administered or provided by the City will be documented with the following information:

- A. Date of training session;
- B. Name of person conducting training;
- C. Subject matter;
- D. Legible name of attendee(s) and signature or acknowledgment of attendance.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Monthly Safety Inspection
Policy No: 1507
Effective: June 2007
Revised: November 2006

MONTHLY SAFETY INSPECTION (FT)

The City has implemented a program to identify, correct, and control hazards on an ongoing basis. This program will utilize multiple resources to ensure effectiveness.

I. SAFETY INSPECTIONS

The Supervisor at each operation will conduct monthly in house safety inspections that will cover the entire facility and equipment. All inspections will be conducted on an ongoing basis without interruption. Management will allocate adequate time and resources to perform the surveys.

Each location will develop and maintain an inspection checklist(s) specific to the operation. The list will be developed utilizing a general inspection checklist and will be evaluated and updated with hazards that are identified during the inspections and other pertinent data as it is acquired. The contents of this checklist will be reviewed on a regular basis to ensure that it is current and updated. The checklist will become a part of the 5-year record of the inspection. Each checklist will indicate the location or specific site or area surveyed, name and title of the inspector, date of inspection, and corrective action taken for identified hazards or violations. The inspection report will be used in trend analysis and record keeping.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Reporting of City Vehicle Accidents
Policy No: 1508
Effective: June 2007
Revised: April 2025

REPORTING OF CITY VEHICLE ACCIDENTS (FT, PT)

- A. Employees shall report all accidents, near misses or damage involving a city vehicle to their supervisor immediately. The supervisor shall notify the police. The police shall be notified of all accidents involving city vehicles and a second party. The employee shall not leave the scene of an accident until an investigation has been made.
- B. An employee shall make no statements or comments regarding any fault or liability of himself or the City to anyone except the investigating officer.
- C. Supervisors are responsible for notifying the Human Resources Director. The supervisor must complete an “Accident Report” form and submit it to the Human Resources Director as soon after the accident as is practical.
- D. Failure to report any accident, near misses or damage involving a City vehicle could result in suspension or termination.
- E. An employee driving a city vehicle, which is involved in a motor vehicle accident, shall be subject to drug and alcohol testing at a local drug testing facility approved by the City. Any employee whose performance either contributed to an accident or cannot be completely discounted as a contributing factor to an accident will be tested for prohibitive substances within 8 hours of the event. (See Policy Nos. 811 & 812)
- F. Vehicle accident will be reviewed by the Accident Review Board and possible penalty points assessed that may determine a driver’s eligibility to operate a city vehicle.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Reporting of On-the-Job Injuries
Policy No: 1509
Effective: June 2007
Revised: November 2006

REPORTING OF ON-THE-JOB INJURIES (FT, PT, T/S)

- A. An employee must immediately notify their supervisor of any on-the-job injury. Failure to notify the supervisor of an on-the-job injury is grounds for disciplinary action, up to and including termination. (See Policy No. 1107)
- B. After any necessary medical help is received, the employee and the supervisor should complete the form "Employee Injury Report". These forms should be submitted to the Personnel Office as soon after the injury as possible. As a courtesy supervisors should verbally notify the Personnel Office of the incident and the employee (s) that are involved.
- C. In accordance with the Worker's Compensation Law, the City, through it's designated insurance agent, is responsible for medical aid, hospital services, nursing, chiropractic services, and medicines as may reasonably be required at the time of injury, and at any time thereafter to cure and relieve the employee from the effects naturally resulting from a legitimate injury covered by the insurance carrier.
- D. Employees have the right to select or choose the person or facility they wish to furnish medical aid and hospital services. If an employee cannot select the person or facility they wish to furnish medical aid, then they will be taken to the nearest emergency treatment center.
- E. When an employee is injured on-the-job, and will be unable to work, and they are covering their dependents under the City's medical plan, the City will pay the premium for the dependents for a period of three (3) months. The employee will need to have been off work for one (1) month to qualify for this coverage. If the employee is off work for over three (3) months, the individual employee will need to make arrangements to pay for this coverage.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Reporting Hazards
Policy No: 1510
Effective: June 2007
Revised: November 2006

REPORTING HAZARDS (FT, PT, T/S)

The purpose and intended use of Hazard Reports is to identify hazardous or dangerous conditions so that appropriate corrective action can be taken. It is the responsibility of all employees to submit a Hazard Report once a hazardous or dangerous condition is discovered. Hazard Reports, as well as injury and accident reports, indicate where prevention efforts should be directed. They help to:

- A. Identify problems in the work area.
- B. Document incidents or hazards.
- C. Predict where hazards or incidents may occur.
- D. Monitor safe work methods.
- E. Assesses the effectiveness of risk management policies and procedures.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Worker's Compensation
Policy No: 1511
Effective: June 2007
Revised: November 2006

WORKER'S COMPENSATION (FT, PT, T/S)

I. HEALTH AND MEDICAL CARE

In accordance with the Worker's Compensation Law, the City is responsible for medical aid, hospital services, nursing, chiropractic services and medicines as may reasonably be required at the time thereafter to cure and relieve the employee from the effects naturally resulting from a legitimate injury covered by the insurance carrier. Employees have the right to select or choose the person or facility to furnish medical aid and hospital services.

II. WAGE / SALARY COMPENSATION AND HOLIDAY PAY

Employees who are injured while performing job duties and are not able to work shall be paid for injury leave up to seven (7) days, after which time the employee shall receive workmen's compensation temporary income benefits from the City's insurance carrier. The benefit is based upon a percentage of the employee's current wages/salary.

III. PAYMENT OF BENEFITS / LEAVE

Holiday pay shall be paid to the employee by the City on all regularly scheduled holidays to regular employees on injury leave. Sick leave and personal leave shall continue to accrue as long as the employee is still employed by the City, despite any injury leave status. (See Policy No. 1107)

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Annual Review of the
Accident Prevention Plan
Policy No: 1512
Effective: June 2007
Revised: November 2006

ANNUAL REVIEW OF THE ACCIDENT PREVENTION PLAN

The Assistant City Manager or other designated representative will annually review and revise the components of the Accident Prevention Plan, in the months of January, for effectiveness and implementation. Special attention will be devoted to areas and criteria that demonstrate failure in a program component, introduction of new procedures, processes, or equipment. Corrective measures will be taken as needed to reemphasize or restructure the Accident Prevention Plan to perform at the optimum effectiveness. Information will be solicited from area supervisors and employees to determine the effectiveness of each program component, and assistance in developing adjustments and corrections.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Accident Review Board
Policy No: 1513
Effective: June 2007
Revised: November 2006, June 2024

ACCIDENT REVIEW BOARD (FT, PT, T/S)

- I. The Human Resources & Risk Management Director shall serve as Chairman of the Board. The other board members shall consist of one employee representative appointed from Public Works, Parks & Recreation and Utilities and four supervisors from various departments.
- II. The Accident Review Board will meet at least once per year or will be called as necessary to review the status of accidents. The Board reviews all information pertinent to determine if it was preventable or non-preventable. If it is the Board's determination that the accident was preventable the employee will be assessed the appropriate penalty points. The accumulation of 12 penalty points within a three (3) year period automatically disqualifies the driver from operating city vehicles.
- III. The Accident Review Board shall be responsible for reviewing all loss time injuries to determine if the injury was preventable or non-preventable. The Board may request that the injured employee and his supervisor be present to answer inquiries from the Board regarding the circumstances leading to the injury.
- IV. The Chairman of the Board shall prepare written minutes for submission to the City Manager. Copies shall be made available to all Board members and Department Heads. This report shall contain the following information: all issues discussed during said meeting, the determination made by the Board, and the name(s) of any representative(s) who attended the scheduled meeting. The Department Head of each employee involved in an accident/injury discussed by the Accident Review Board shall respond to the Board's recommendations by submitting a report to the City Manager and the Board (for review at the subsequent meeting) which details whether or not the Board's recommendation if any were implemented, and if they were not implemented, the alternative remedy implemented and the reason for deviation from the Board's recommendations. This report is due prior to the next month's Accident Review Board meeting.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Eligibility to Drive City Vehicle
Policy No: 1514
Effective: June 2007
Revised: November 2006

ELIGIBILITY TO DRIVE CITY VEHICLE (FT, PT)

I. PENALTY POINT SYSTEM

In determining a driver's eligibility to operate a City vehicle, the following penalty points shall be assessed for accidents and/or violations listed on an individual Motor Vehicle Record or reflected in City records. These same points shall be used by the Accident Review Board in assessing points toward a driver's record. The accumulation of 12 penalty points within a three (3) year period automatically disqualifies the driver from operating City vehicles. In the event the need to be able to drive is an essential job function for that position, the employee may be subject to termination of employment.

A. 1 - 3 Point Penalties

- a. Motor with Motor
- b. Motor with pedestrian
- c. Motor with Train
- d. Other Non-Collision
- e. Motor with Bicycle
- f. Motor with Fixed Object
- g. Motor with Other Object

B. 1 - 3 Point Penalties

- a. Speeding
- b. Ran Stop Sign
- c. Ran Red Light
- d. Improper Left or Right Turn
- e. Improper "U" Turn
- f. Other Improper Turn
- g. Improper Backing
- h. Improper Passing
- i. Illegal Signal
- j. Lane Violation
- k. Unnecessary Noise
- l. Passing in a No Passing Zone
- m. Wrong Way on One Way Street
- n. Speed Contest
- o. Reckless or Careless Driving
- p. Negligent or Careless Collision
- q. Following Too Close
- r. Violation of D.L. Restriction
- s. Driving on Wrong Side of Road
- t. Driver's License Violations
- u. Other Moving Traffic Violations
- v. Failure to Stop & Give Information
- w. Failure to Yield Right of Way
- x. Failure to Report City Vehicle Accident

C. 12 Point Penalties

- a. Driving While Intoxicated (DWI)
- b. Driving Under the Influence of Drugs (DUID)
- c. Manslaughter
- d. Aggravated Assault with Motor Vehicle
- e. Negligent Homicide
- f. Failure to Stop and Render Aid

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Disciplinary Action Process
Policy No: 1515
Effective: June 2007
Revised: November 2006

DISCIPLINARY ACTION PROCESS (FT, PT, T/S)

The City has developed a disciplinary guideline that applies to the safety and health program of the City. The disciplinary guideline will be a tool to ensure enforcement of the rules and procedures for a safe and healthful working environment. Please See Section 9 (Discipline) for the City's guideline on discipline.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Employee Safety Guidelines
Policy No: 1516
Effective: June 2007
Revised: November 2006

EMPLOYEE SAFETY GUIDELINES (FT, PT, T/S)

I. GENERAL GUIDELINES

Ignorance of safety guidelines outlined in this manual will not be accepted as an excuse for neglect or the use of unsafe practices in the performance of an employee's job. The ability/inability to perform work assignments safely shall be one factor of consideration in the selection and promotion of employees. The inability to perform work assignments safely is considered grounds for dismissal upon approval of the department head and City Manager.

II. GENERAL SAFETY

- A. No smoking is permitted near or around gas pumps or any other flammable liquids.
- B. All work areas including vehicle cabs must be kept clean and free from all rubbish and debris.
- C. All materials in storage must be stored in a neat and orderly manner.
- D. First Aid Kits must be maintained in all work areas. All employees should know the location of the First Aid Kit in their area. Supervisors must regularly monitor these locations and make sure the proper supplies are on hand.
- E. Fire Extinguishers must be maintained in all work areas and kept in working condition at all times. All employees should know the location of the fire extinguishers in their working area.
- F. It is required that all employees learn and follow safe work procedures in the use of tools, equipment and machinery normally used in their work.
- G. All guards, shields, etc. must be in place and required personal protective items in use at all times when using machines, tools, or equipment.

- H. All tools, equipment and machinery must be kept clean and in good working condition. Regular inspection procedures should be established and followed.
- I. No employee should attempt to use, adjust, repair, or tamper in any way, with any electrical or mechanical equipment unless he has specific authorization to do so.

III. PERSONAL SAFETY

- A. Each employee must accept an individual commitment to the personal practice of good safety and recognize that safety is a personal responsibility.
- B. Each employee must follow all safety rules and comply with instructions of supervisors.
- C. It is the employee's responsibility, as part of the employee's job, to immediately correct or report any hazards or unsafe conditions.
- D. Each employee must know his job and the proper way to perform that job.
- E. Each employee is expected to wear personal clothing that is safe and proper for his or her job.
- F. Safety glasses or face shields must be worn when required by their supervisor.
- G. Employees should familiarize themselves with the hazards of materials and equipment they are working with, and take appropriate precautions or use protective equipment to prevent exposure.
- H. Because they are a distraction to the employee and the public, headphones, and personal radios, i.e. Walkmans are prohibited from use at any time while on duty.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Personal Protective Equipment
Policy No: 1517
Effective: June 2007
Revised: November 2006

PERSONAL PROTECTIVE EQUIPMENT (FT, PT, T/S)

The following items of personal protective equipment will be issued to all employees. The employee is responsible for the proper wear, use, care, and security of the items. Replacement will be done on a direct exchange basis provided it is needed due to fair wear and tear. Supervisors are responsible for maintaining records reflecting names and dates of the initial and replacement issue.

- A. Rain Gear
- B. Gloves. The type of glove issued will be dependent on the work performed.
- C. High visibility reflective vests
- D. Protective eye wear
- E. City issued hat or cap
- F. City issued uniform

While operating mowers, tractors, edgers or other equipment operators will wear protective eyewear at all times. The high visibility (orange) reflective vest will be worn at all times while working outside the vehicle near or in the roadways.

Damaged personal protective equipment must be returned to the employee's supervisor before a new pair will be issued. The supervisor will determine if the equipment was damaged by normal wear and tear, by a work-related accident, or if damaged by negligence of the employee. Employees are responsible for replacing personal protective equipment, which they damage or lose in non-work related accidents, through horseplay or willful destruction. Terminated employees must return Personal Protective Equipment before their final paychecks will be released.

I. PROTECTIVE FOOTWEAR

All Public Works and Parks Department personnel must have proper protective footwear. No tennis shoe types are acceptable. Protective footwear must be:

- A. Lace up, above ankle boot with rubber sole.
- B. Pull on type boot with rubber sole.

- C. Lace up, above ankle boot with leather sole.
- D. Pull on type boot with leather sole.
- E. Lace up, oxford type work shoe with rubber type sole (Garage/Wastewater Treatment Plant).
- F. Rubber boots are acceptable for wet conditions and as approved by the department supervisor.

II. SAFETY GLASSES

Safety glasses will be issued to appropriate employees, and will become the employee's responsibility, but will remain City property. Should any employee lose his/her safety glasses, they must purchase a pair to replace those they lost. The replacement glasses will also be City property.

Damaged glasses must be returned to the employee's supervisor before a new pair will be issued. The supervisor will determine if the glasses were damaged by normal wear and tear, by a work-related accident, or if damaged by negligence of the employee. Employees are responsible for replacing glasses which they damage in non-work related accidents, through horseplay or willful destruction. Safety glasses must be returned by terminated employees before their final check will be released.

Employees needing prescription safety glasses can make arrangements with their supervisor. The City will reimburse 50% up to \$50 for the frames and eye guards. Employees are responsible for their own prescription lenses.

Employees required to wear safety glasses:

- A. Employees working around any type of equipment.
- B. Employees who are working, or conducting business, in the garage area -- includes the auto and truck repair bays, small tool and tire repair bays, and all department shops (Sign Shop, Paint Shop, etc.).
- C. Employees mowing or edging.
- D. Employees working the garbage trucks and trash trucks.
- E. Employees working at or near grinders - Note: Employees working grinders and welding equipment must wear additional approved eye and face protection.
- F. Employees working with or around chemicals.
- G. Any employee whose supervisor has made the wearing of safety glasses mandatory at all times. Any employee who fails to wear approved eye protection will face immediate disciplinary action. Employees will be reprimanded, suspended, or dismissed, depending on the severity or frequency of the violation.

III. HEAD PROTECTION

Department approved head protection shall be provided to and worn by employees when working in areas where possible danger of head injury exists from impact, falling or flying objects, or from electrical shock and burns. Examples include but are not limited to the following: while working in excavations, manholes and vaults; while trimming trees and shrubs; and while ground personnel are assisting persons in bucket trucks or otherwise elevated.

Hard hats should be inspected periodically for damage to the shell and suspension system. Defects or damage shall be repaired or the hard hat shall be replaced.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Motor Vehicle Operation and Safety
Policy No: 1518
Effective: January 2007
Revised: May 2020

MOTOR VEHICLE OPERATION AND SAFETY (FT, PT)

- A. No person other than an employee working for the City of Lake Jackson or an approved volunteer will be allowed to drive a City vehicle.
- B. All drivers of City vehicles must have a valid Texas Driver's License, and where required, a Class B commercial driver's license. Federal law requires that a driver can have only one driver's license. The City personnel office will run driver's license checks for violations and statues every six (6) months. Employees who have been charged or convicted of a DWI violation shall be prohibited from operating City vehicles or equipment on public roads, until such time that the violation is cleared or probation is concluded. Employees with three or more moving violations may be prohibited from operating any City vehicles or equipment on public streets as well. In the event this precludes an employee from performing their essential job functions, the employee may be placed on an unpaid leave or dismissed as approved by the City Manager.
- C. All drivers of City motorized vehicles, and front seat passengers, must wear seat belts.
- D. Only employees physically capable of operating motor vehicles may drive City vehicles.
- E. Employees operating City vehicles are expected to be the safest, most courteous, and efficient drivers on City streets. The citizens of Lake Jackson have a right to expect operators of City vehicles to provide examples of courteous, defensive driving.
- F. City drivers will adhere to all traffic rules and regulations. Regardless of the designated speed zone, the rate of speed at which a City driver shall drive shall be the rate which is safe for existing conditions, not to exceed the posted speed limit.
- G. Racing or gunning the motor, spinning or digging the tires, or any other such type of action that would call attention to a City vehicle, will not be tolerated.
- H. Any employee found drinking intoxicants or using any illegal drugs while on duty or being intoxicated while on duty or being intoxicated while driving a City vehicle is subject to immediate dismissal.

- I. Drivers of City vehicles will be in complete charge of the vehicle and will be held responsible for keeping the inside of the vehicle clean. Magazines, books, bottles or any material classified as junk, will not be permitted in the passenger portion of any City vehicle.
- J. No vehicle or major piece of equipment shall be operated until it has been safety checked by the operator. Brakes, lights, tires and turn indicator shall be checked daily. In case of shift work, the drivers surrendering the vehicle will report any fault or deficiency of the vehicle to the oncoming driver.
- K. Drivers who receive tickets for traffic violations will be expected to pay for any resulting fines.
- L. City owned automobiles assigned to employees are only to be used by employees in the performance of their duties. The City Manager may authorize employees to drive to and from work in City vehicles if it is considered to be in the interest of the City to have vehicles available for immediate use in case of departmental emergencies. Violation of this provision subjects the offender to immediate suspension or dismissal. Exceptions may only be granted by the City Manager.
- M. Safety cones, signs and beacons should be used where appropriate. When a City vehicle is parked in any place but a regular parking lot, a safety cone shall be placed behind the vehicle and may be necessary in front of the vehicle as well (particularly when parked along the road on a shoulder or in a lane of traffic). The work site shall be properly signed to warn the public of a potentially hazardous condition. Beacons must be used any time a vehicle is parked in a lane of traffic, close to the road shoulder, or traveling at an unsafe speed.
- N. City vehicles are prohibited from entering the Service Center employee parking lot, as are personal vehicles from entering the Service Center Compound, unless performing a city task.
- O. Extreme caution shall be exercised when any vehicle has a restricted rear view when backing. Restricted vision includes no clear vision through the rear windshield and the vehicle is not equipped with a camera. If another employee is present, he shall act as a "spotter" to assist the driver in backing safely. Drivers shall stop immediately if they lose sight of their "spotter".
- P. Getting in or out of a vehicle / mobile equipment while it is motion is prohibited, as is riding anywhere on the vehicle / mobile equipment not designed for passengers.
- Q. Do not get out of a vehicle / mobile equipment and leave the motor running, or drive / operate with a door ajar.
- R. Keys shall be removed from unattended vehicles and equipment. Doors should be locked for security purposes when applicable.

- S. No unnecessary idling of City vehicles. Engine idling should only occur if it is a business necessity or requirement. (No person shall cause, suffer, allow, or permit the primary propulsion engine of a motor vehicle to idle for more than five consecutive minutes when the motor vehicle is not in motion.)

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Hazard Communication Program
Policy No: 1519
Effective: June 2007
Revised: November 2006

HAZARD COMMUNICATION PROGRAM (FT, PT, T/S)

I. REGULATORY REQUIREMENT

The City of Lake Jackson must comply with the Texas Hazard Communication Act. This Standard requires employers to train and educate employees on the safe use and handling of hazardous materials that employees may be exposed to in the workplace, and ensure accessibility to information regarding hazardous chemicals.

The objective of the program is to provide information and training needed so employees may work safely with hazardous chemicals found in the workplace. Employees have an obligation to adhere to instructions on safe use, handling, and disposal of hazardous materials.

PROGRAM MANAGEMENT

A. Program Manager Responsibilities:

The City of Lake Jackson shall have a Program Manager with authority to carry out its written requirements. The Program Manager is the Assistant City Manager and is responsible for filing all reports with the appropriate governmental authorities.

B. Designation of Department Coordinator(s):

For effective compliance with the Acts, a "Department Coordinator" will be designated for each Department. The "Coordinator" may be an employee or supervisor.

Department Coordinator's Duties Include:

1. Maintain a copy of the written Program, Workplace Chemical List(s), and Material Safety Data Sheets specific for departmental workplaces. The Coordinator will ensure these items are readily available for review by department employees during each work shift.

2. Post the Texas Department of Health poster "NOTICE TO EMPLOYEES" on each workplace bulletin board.
3. Provide new hires and newly assigned employees with training before employees are exposed to or handle any hazardous chemicals.
4. Provide training on an as-needed basis for employees who use or handle hazardous chemicals.
5. Document all training and maintain training records for a minimum of five years.
6. Obtain Material Safety Data Sheets (MSDS) for all chemicals prior to their use.
7. Verify that all containers of hazardous chemicals are properly labeled and stored.

Employee Responsibilities:

1. Practice safe work habits. Obey the rules and never take shortcuts when handling, using, storing, or transporting hazardous chemicals.
2. Learn to use chemicals properly and understand what they do.
3. Use protective clothing and equipment. Make sure it fits properly, follow instructions for cleaning and storing, and replace damaged articles promptly.
4. Know emergency procedures for chemicals in the workplace. Know where first aid supplies are kept and learn emergency eyewash and shower procedures, if applicable.
5. Notify Supervisor or Department Coordinator of containers that are incorrectly labeled; damaged containers; chemical spills of an emergency nature; and if chemical appears unusual.

II. PARTICIPATING EMPLOYEES

Employees who work with or in a work area containing hazardous chemicals shall receive training as set forth by the Texas Department of Health.

III. WORKPLACE CHEMICAL LIST

The Department Coordinator shall compile and maintain a Workplace Chemical List for hazardous chemicals normally present in the workplace or temporary workplace in excess of 55 gallons or 500 pounds.

The Workplace Chemical List may be prepared for the workplace as a whole or for each work area, or temporary workplace, and must be readily available to employees. All employees shall be made aware of the Workplace Chemical List before working with or in a work area containing hazardous chemicals.

The Department Coordinator shall update the Workplace Chemical List as necessary but at least by December 31 of each year. Each Workplace Chemical List shall be dated and signed by the Department Coordinator. The List shall be maintained for at least 30 years.

IV. CONTAINER LABELING

The Department Coordinator will verify that all chemical containers received for use and all chemical containers currently in use in each workplace have the following information visible on the label: the identity appearing on the Material Safety Data Sheet, the pertinent physical and health hazards, including the organs that would be affected, and the manufacturer's name and address. Secondary containers must be re-labeled with at least the identity appearing on the Material Safety Data Sheet and appropriate hazard warnings.

If an unlabeled container such as a bucket is used to temporarily store or transport a hazardous chemical, it shall only be used by the employee who performs the transfer and shall only be used during the work shift during which the transfer was made.

If a hazardous chemical label is missing or improper, the Department Coordinator shall take corrective action immediately.

PIPES, TANKS, ETC.

Every effort will be made to label pipes that carry materials that could be hazardous. Labeling can be specific markings identifying the contents of the pipes.

If hazardous chemicals run through the pipes, the potential hazards and necessary safety precautions relative to the chemicals must be obtained and given to the employees working in the area.

V. RE-USE OF EMPTY CONTAINERS

Any empty container being considered for re-use must be fully cleaned and all labels removed prior to its use.

VI. MATERIAL SAFETY DATA SHEETS (MSDS)

The Department Coordinator shall obtain and maintain legible copies of current MSDS for each hazardous chemical in the workplace(s). If the Department Coordinator does not have a current MSDS for the chemical when it is received at the workplace, the Coordinator shall request a MSDS in writing from the manufacturer or vendor in a timely manner.

Material Safety Data Sheets shall be maintained in an orderly fashion and shall be readily available, on request, for review by employees. Material Safety Data Sheets can be posted on bulletin boards for employee and/or public review. Material Safety Data Sheets should be readily accessible to all employees on all work shifts.

MSDS information for each hazardous chemical to be used in the workplace must be relayed to the employees who will be working with the chemical before the chemical is put into the area. Revised MSDS must be reviewed with employees.

VII. EMPLOYEE EDUCATION

Employees and volunteers who use or handle hazardous chemicals shall receive training and education appropriate to their workplace. The Department Coordinator shall provide training to a new or newly assigned employee before the employee works with or in a work area containing a hazardous chemical. The method and level of training will vary with the needs of each department and the job duties and educational level of employees. The City of Lake Jackson shall provide any personal protective equipment needed by employees when using or handling hazardous substances.

The Department Coordinator will be responsible for ensuring that employees receive training and education addressing the following:

- A. Information on interpreting labels and MSDS, and the relationship between the two methods of hazard communication.
- B. The location of chemicals, acute and chronic effects, and safe handling of hazardous chemicals known to be present in the employee's work area and to which employees may be exposed.
- C. The proper use of protective equipment.
- D. First Aid treatment with respect to hazardous chemical exposure.
- E. General safety instructions on the handling, cleanup procedures, and disposal of hazardous chemicals.
- F. The purpose of the Act, and employee rights under the Law.

Training may be conducted by categories of chemicals (i.e. irritants, flammables, etc). Protective equipment and first aid treatment may be by categories of hazardous chemicals.

The Department Coordinator shall keep a record of each training session given to employees, including the date, a roster of the employees who attended, the subjects covered in the training session, and the names of the instructors. Training records shall be maintained for at least five years.

VIII. REPORTING FATALITIES AND INJURIES

Within 48 hours after the occurrence of an employee accident that directly or indirectly involves chemical exposure, or that involves asphyxiation, and that is fatal to one or more employees, or

results in the hospitalization of five or more employees, the City shall report the accident orally or in writing to the Texas Department of Health Hazard Communication Branch.

The report to the Texas Department of Health shall relate the circumstances of the accident, the number of fatalities, and the extent of any injuries.

IX. INFORMING CONTRACTORS

Before a contract commences work in a City of Lake Jackson workplace, the Department Coordinator and/or Supervisor who controls the work area will be responsible for:

- A. Informing the contractor of its rights under the Act.
- B. Providing a copy of the Workplace Chemical List.
- C. Providing copies of all MSDS for the hazardous chemicals that they may be exposed to in the workplace.
- D. Having the contractor provide MSDS for any hazardous chemicals they will be bringing into the City of Lake Jackson workplace to which the City of Lake Jackson employees will have an exposure.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Confined Space Entry
Policy No: 1520
Effective: June 2007
Revised: November 2006

CONFINED SPACE ENTRY (FT, PT, T/S)

It is the City's guideline to enforce nationally recognized standards to assure that any employee entering a confined space will not be unnecessarily subjected to conditions that may cause injury, illness, or death. All employees whose duties require that they enter a confined space shall be trained in the proper procedures for entry, work, observation and rescue activities. Employees in this category shall follow all steps of the procedures set forth in this guideline. This guideline applies to vendors and visitors as well as City employees at all City locations and facilities.

I. DEFINITIONS

"Confined Space" means any space which has limited openings for entry and exit, unfavorable natural ventilation which could contain or produce dangerous air contaminants, and which is not intended for continuous employee occupancy.

Typical Hazards of Confined Spaces are:

- Toxic Vapors
- Flammable Vapors
- Oxygen Deficiency
- Electric Shock
- Hot Surfaces
- Other Operations in the Immediate Area
- Hazards associated with welding, grinding, metal cutting, and the use of solvents.
- Contact with Chemicals
- Excess Heat
- Moving Equipment
- Open Top Spaces Greater than Four Feet in Depth
- Elevated or Slippery Surfaces

Examples of Confined Spaces at City facilities include but are not limited to the following examples:

- Sewers
- Lift Stations
(4)

- Meter Vaults
- Water Storage Vessels
- Tunnels
- Manholes
- Excavations
- Air Handlers
- Trenches

II. RESPONSIBILITIES

Management Personnel - Have responsibility for training personnel and enforcing this guideline equally for vendors, service representatives and visitors, as well as City employees. Department and Division Heads shall identify the confined spaces in which their personnel work and shall ensure compliance with this guideline.

Supervisors - Have primary responsibility for preparing the confined space for entry and preparing the permit.

Personnel Entering and Their Supervision - Have the obligation to critique the preparation and to safely implement the work activity within the confined space, and to sign the permit upon each entry as provided in Section V.G of this guideline.

Assistant City Manager - Has responsibility to periodically review and update this guideline, and to serve as a resource to answer or resolve questions. Additionally, he shall assist in developing bid specifications for all safety equipment and devices, and to review and approve same prior to final purchase.

III. APPLICATION AND TRAINING

It is essential to train all employees who enter and work in confined spaces in the use of lifesaving equipment because of the hazards that might be encountered. The training program - to be conducted by the individual department or division - should be specifically designed for the types of confined spaces involved and the problems associated with entry and exit.

IV. PHYSICAL AND MEDICAL REQUIREMENTS OF CONFINED SPACE ENTRANTS

- A. Management personnel are responsible for anticipating the hazards associated with entry into confined spaces and formulating physical and medical requirements for workers expected to enter confined spaces. In doing so, consideration must be given to physical and medical requirements which would allow the worker to effectively cope with emergencies.
- B. Supervisors shall not assign workers to enter confined spaces who fail to meet the physical and medical criteria applicable to the task.

- C. Workers whose job duties require entry into confined spaces shall be responsible for continuously meeting the physical and medical requirements of their jobs.

V. PROCEDURE

Preparation of the confined space for entry shall address the following subjects and, at a minimum, contain the requirements indicated.

- A. Barricades and Warning Signs. In order to warn others from coming near the confined space, supervisors shall ensure that barricades and warning signs are placed at conspicuous locations, whenever there is an excavation, open manhole, or suspected toxic substance present.
- B. Decontamination. Supervisors and workers shall make a maximum effort to safely drain, clean, or otherwise eliminate flammable, toxic, or corrosive chemicals or vapors from the confined space. The objective of decontamination procedures is to allow personnel to work safely in the confined space without the need of special ventilation or personal protective equipment.
- C. Isolation. Workers and supervisors shall provide maximum separation of the work area to prevent entry of hazardous substances from surrounding areas.
- D. Lockout/Tagout. Workers and supervisors shall physically de-energize and immobilize all equipment and sources of potentially hazardous energy release in accordance with appropriate lockout/tagout procedures.
- E. Ventilation. Workers and supervisors shall liberally employ the use of mechanical air movers or blowers and strategically located venting to help assure that sufficient fresh air passes through the enclosure.
 - 1. The supervisor shall determine whether fresh air should be blown into the confined space or drawn in, depending upon the circumstances.
 - 2. Forced ventilation shall be maintained throughout the entry period.
 - 3. Ventilation shall be sufficient to provide a normal air exchange equivalent to three times the volume of the enclosure prior to entry; 6 to 12 times per hour thereafter.
- F. Testing. Prior to initial entry, after each interruption, and during the entire job sequence, workers and supervisors shall test for oxygen, flammable gas or vapor, and suspected toxic substances (e.g., H₂S) as appropriate.

1. Testing shall be performed by a person trained in the use of the test equipment, familiar with the suspected hazards, and authorized to perform the tests.
2. Testing instruments shall be used only within the calibration period specified and must be field checked for a qualitative response prior to testing the confined space.
3. Final testing shall be performed with mechanical ventilation systems operating.
4. No person shall enter or allow any subordinate employee to enter any confined space unless final testing reveals that the oxygen level is at 19.5 - 23.5 percent, flammability is less than 10 percent of the lower explosive limit (LEL), and the concentration of toxic gas is less than the permissible exposure limits (PEL) established by OSHA. Test results outside these limits require additional clean-up or special equipment and procedures before entry.
5. ANY untested atmosphere shall be assumed to contain all hazards. No person shall enter or allow a subordinate employee to enter an untested confined space.

G. Confined Space Entry Permit. No person shall enter or allow a subordinate employee to enter a confined space unless an approved permit has been issued. The permit shall provide information relative to the work assignment including, but not limited to, the following:

- Description of the confined space and work to be performed.
 - Location of confined space.
 - Preparations made for a safe entry with respect to decontamination, ventilation, isolation, lockout/tagout.
 - Employees assigned to the job.
 - Testing requirements and results.
 - Date and time.
 - Precautionary measures.
 - Required safety and rescue equipment.
 - Proper signatures of all personnel involved in inspection, testing, and compliance prior to entry.
 - Duration of permit.
1. The supervisor shall be responsible for posting the permit at the point of entry.

2. Permits shall be signed by the foreman/crew leader of the confined space and the tester. A minimum of TWO signatures is required to assure that proper levels of communication are achieved.
 3. No permits shall be issued for a period of time longer than one shift. For succeeding shifts, or if the work area is left unattended for more than one hour, the persons responsible for signing the permit shall again check all conditions of the permit, and re-test the area, and appropriately sign the permit. If left unattended for a shorter period, re-testing before re-entry may be required by the permit, depending upon the nature, location, and surrounding conditions of the confined space. Situations involving toxic materials, flammable gases or corrosive materials shall require re-testing after any unattended period, regardless of length.
 4. Upon completion of the job, the permit shall be returned to and retained by the department for a minimum of thirty days after completion of the entry if no deaths, injuries or serious adverse health effects resulted from that entry. The supervisor is responsible for reporting any accidents involving injury to the Safety Officer.
 5. Individual departments and divisions may utilize specified entry permits as approved by the department director and safety officer.
- H. Special Safety Equipment. Supervisors shall document on the permit any requirements for special safety equipment, such as harnesses, lifelines, breathing air, tripods, rescue winches, safety glasses, hearing protection, explosion-proof lighting and protective clothing.
1. All persons entering a confined space that would require a vertical lift to make a rescue shall wear safety harnesses equipped with backup lifelines. A tripod, hoist, and retrieval winch with supplemental fall protection shall also be utilized.
 2. All persons entering a confined space shall wear self-contained breathing apparatus in contaminated or dusty environments, where toxic concentrations are outside the limits set forth in Section V.F.4., where ambient conditions are subject to change, or where oxygen concentrations may drop below 19.5 percent. In areas classified by OSHA standards as Immediately Dangerous to Life environments (IDL's), breathing air shall be provided by the supervisor and used by the worker.
- I. Special Work Practices. Supervisors shall give consideration to the nature of the work associated with each confined space entry permit with necessary precautionary measures specified on the permit.

1. Supervisors shall notify others in the work area that a permit has been issued for personnel to work in a specified confined space.
2. A ground fault interrupter is required when electric tools or extension lights requiring voltages greater than 24 volts are to be used in a confined space.
3. Compressed gas cylinders, other than breathing air, shall not be taken into a confined space.
4. Special additional ventilation and/or breathing air shall be required when torch cutting or welding is done within a confined space. Workers shall carefully check hoses and nozzles of cutting or welding equipment before use in a confined space. Any potential fire hazard must also be reviewed by the supervisor and the appropriate action taken.
5. No worker shall operate any pneumatic tool with any substance other than compressed air.

J. Rescue Plan. Supervisors shall ensure that permits for confined space entry specify a rescue plan and provide for an attendant to effectively and safely remove the individual(s) from the enclosure in the event of an emergency.

1. Supervisors shall station at least one standby person outside the confined space when internal work is being performed. This person's primary duties are to maintain constant verbal or visual contact with those inside the confined space and to summon emergency assistance if necessary.

The standby person shall be familiar with the permit procedure, be alert for changing conditions, know how to summon assistance immediately, know how to use all rescue equipment specified for the job, and be currently certified in CPR/First Aid. He or she is expected to take all emergency actions short of entering the confined space until emergency assistance arrives.

Supervisors shall assign no duties to the standby person which would take him or her away from the point of entry. However, he or she may be assigned duties pertaining to the confined space, such as:

Assisting in checking safety equipment; handling tools to workers inside confined space;
assisting personnel in and out of confined space; keeping lifelines free of entanglement.

2. Minimum safety and rescue equipment for ANY confined space entry requiring a vertical lift is as follows:

- Lifeline and harness (attached)
- Emergency breathing air supply of five minutes
- Mechanical hoist
- First Aid equipment

VI. VIOLATIONS OF GUIDELINE

Any employee who knowingly violates the mandatory requirements of this guideline shall be subject to the full range of disciplinary action.

VII. EXCEPTIONS

Any exceptions to this guideline can be made ONLY by approval of the Division or Department Head and the concurrence of the Safety Officer and City Manager.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Trenching and Excavation Safety
Policy No: 1521
Effective: June 2007
Revised: November 2006

TRENCHING AND EXCAVATION SAFETY (FT, PT, T/S)

- A. Before opening an excavation, all obstructions such as trees, sidewalks, and foundations shall be removed or supported as necessary to protect employees and the public.
- B. The estimated location of utility and other underground installations that may be encountered during excavation work shall be determined before opening the excavation.
- C. When excavation operations approach the estimated location of underground installations, the exact location of the installation shall be determined by safe and acceptable means.
- D. While the excavation is open, underground installations shall be protected, supported, or removed to safeguard employees.
- E. Employees exposed to vehicular traffic shall wear "high visibility" vests or clothing.
- F. A stairway, ladder, ramp, or other safe means of egress shall be located in trench excavations that are 4 feet or more in depth so as to require no more than 25 feet of lateral travel for employees. Ladders must extend 3 feet above the surface and be tied off if necessary.
- G. No employee shall be permitted underneath loads handled by lifting or digging equipment. Employees shall be required to stand away from any vehicle being loaded or unloaded to avoid being struck by any spillage or falling materials.
- H. All mobile equipment (front-end loaders, bulldozers, and dump trucks) shall be equipped with a warning device such as a back-up alarm. When mobile equipment is operated adjacent to an excavation, a warning system shall be used such as barricades, hand or mechanical signals, or stop logs. If possible, the grade should be sloped away from the excavation.
- I. In excavations deeper than four feet with the potential for a hazardous atmosphere or oxygen deficiency, air testing shall be conducted before employees can enter an excavation and as

often as necessary to ensure the atmosphere remains safe. Ventilation or respiratory protection may be needed to protect employees from harmful atmospheres.

- J. Daily inspections of the excavations and adjacent areas and protective systems shall be made by a competent person for evidence of situations that could result in a possible cave-in, failure of protective systems, hazardous atmospheres or other hazardous conditions. An inspection shall be conducted prior to the start of work, when there are changes in weather conditions, if the excavation has been left unattended for a period of time (such as lunch), and as needed.
- K. Employees shall not work in excavations in which there is accumulated water or in an excavation in which water is accumulating unless adequate precautions have been taken to protect employees. The precautions necessary to protect employees adequately can include special support or shield systems, water removal, or the use of a body harness and lifeline.
- L. Surface water shall be prevented from entering an excavation by utilizing diversion ditches, dikes, or other suitable means.
- M. Excavations subject to run-off from heavy rains shall require an inspection by a competent person.
- N. Excavated earth (spoil), materials, tools and equipment shall be placed no closer than two feet from the edge of the excavation.
- O. Where employees or equipment are required or permitted to cross over excavations, walkways or bridges with standard guardrails shall be provided.
- P. When excavations are left open, warning devices, barricades, or guardrails shall be placed to adequately protect employees and the public.
- Q. At the end of the workday, as much of the excavation as practical shall be closed.
- R. Mechanical excavating equipment that is parked or operating on streets or highways shall be protected by proper warning devices.
- S. Each employee in an excavation shall be protected from cave-ins by an adequate protective system (sloping, benching, shoring, or shielding), unless excavations are made entirely in stable rock, or are less than five feet deep and examination of the ground by a competent person provides no indication of a potential cave-in.
- T. When choosing a protective system, a competent person shall take into consideration soil type, vibration sources, previously disturbed soil, layered soil, presence of water, heavy equipment work adjacent to the excavation, limited work area, and other hazard-increasing conditions.
- U. Sloping, benching, shoring or shielding for excavations greater than 20 feet deep shall be designed by a registered professional engineer.

- V. A "competent person" as used in this section shall mean one who is capable of identifying existing and predictable hazards in the surroundings, or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has the authorization to take prompt corrective measures to eliminate them.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Barricade Guidelines
Policy No: 1522
Effective: June 2007
Revised: November 2006

BARRICADE GUIDELINES (FT, PT, T/S)

Many of the City's maintenance and minor construction operations require closure or partial closure of city streets. Without proper barricading, we increase the probability of injury and property damage to our employees and citizens. For this reason, the following requirements have been adopted.

All maintenance or construction operations which require a closure or partial closure of a street will be done in accordance with departmental guidelines. Construction or maintenance beyond the scope of this guideline will be barricaded in accordance with the Texas Manual on Uniform Traffic Control Devices. The Engineering Department will assist all departments and divisions in preparing individual barricading plans to meet special circumstances. The Engineering Department will provide additional education to divisions and departments upon written request. Enforcement of the guideline shall be through the normal chain of supervision and the Assistant City Manager.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Lockout / Tagout
Procedures
Policy No: 1523
Effective: June 2007
Revised: November 2006

LOCKOUT / TAGOUT PROCEDURES (FT, PT, T/S)

I. DEFINITIONS

- A. **Lockout and Tagout** are methods of preventing equipment from being set in motion unexpectedly, which in turn may endanger workers.
- B. **Lockout** is the placement of a lockout device on an energy-isolating device to ensure that the energy isolating device and the equipment being controlled cannot be operated until the lockout device is removed.
- C. **Lockout device** is a device that utilizes a positive means such as a lock, either key or combination type, to hold an energy-isolating device in the safe position thus preventing the energizing of a machine or equipment.
- D. **Tagout** is the placement of a prominent warning device, such as a tag, on an energy isolating device to indicate that the energy isolating device and the equipment being controlled may not be operated until the tagout device is removed. Does not offer the physical protection of lockout.
- E. An **energy-isolating device** is a mechanical device that physically prevents the transmission or release of energy. These devices can include, but are not limited to electrical circuit breakers, disconnect switches, block valves, slip blinds, slide gates, etc.
- F. **Energy** sources refers to any sources of electrical, mechanical, hydraulic, pneumatic, chemical, thermal or any other energy.
- G. An **affected employee** is an employee whose job requires him to operate or use a machine or equipment on which servicing or maintenance is being performed under lockout or tagout, or whose job requires him to work in an area in which such servicing or maintenance is being performed.

- H. An **authorized employee** is a person who uses locks and/or tags on machines or equipment while performing service or maintenance activities. An authorized employee and an affected employee may be the same person when the affected employee's duties also include performing maintenance or service on a machine or equipment, which must be locked and/or tagged.

II. EMPLOYEE RESPONSIBILITIES

All equipment should be locked out to protect against accidental or inadvertent operation when such operation could cause injury to personnel. Employees should never attempt to operate any switch, valve, or other energy isolating device that is locked or tagged out. Employees should be trained on the importance of lockout/tagout procedures. Only authorized employees who have been trained in the procedures should be allowed to apply lockout or tagout.

III. PREPARATIONS FOR LOCKOUT / TAGOUT

Obtain the lockout/tagout procedures for the equipment. After a review of the procedure, determine if changes may be necessary in the procedure.

Identify all affected employees that may be impacted by the impending lockout/tagout.

Obtain necessary supplies, such as locks, tags, etc. that may be needed during the lockout or tagout.

IV. SEQUENCE OF EVENTS TO IMPLEMENT LOCKOUT / TAGOUT

- A. Notify all affected employees that servicing or maintenance is required on a machine or equipment and that the machine or equipment must be shut down and locked out to perform the servicing or maintenance.
- B. The authorized employee should refer to the organization's written procedures to identify the type and magnitude of the energy that the machine or equipment utilizes. After identifying the type of energy source, the authorized employee should assure that he understands the hazards of the energy source and knows the methods to control the energy source.
- C. If the machine or equipment is operating, shut it down by the normal stopping procedure (depress stop button, open switch, close valve, etc.).
- D. De-activate the energy isolating device(s) so that the machine or equipment is isolated from the energy source(s).
- E. Use lock(s) and/or tag(s) as necessary to prevent the accidental or inadvertent operation of the energy isolating device(s).
- F. Any stored or residual energy (such as that in capacitors, springs, elevated machine members, rotating flywheels, hydraulic systems, air pressure, steam pressure, gas pressure, etc.) must be

dissipated or restrained by methods such as grounding, repositioning, blocking, bleeding down, etc.

G. To ensure that the equipment is disconnected from the energy source(s), the authorized employee should follow these listed steps:

1. Check to make sure that no personnel are exposed to possible hazards;
2. Verify the isolation of the equipment by operating the push button or other normal operating control(s) or by testing to make certain the equipment will not operate;
3. Return the operating control(s) to the "neutral" or "off" position after verifying the isolation of the equipment.

H. The equipment or machine should now be locked out.

V. SEQUENCE OF EVENTS TO RESTORE MACHINE OR EQUIPMENT TO NORMAL OPERATIONS

A. Check the machine or equipment and the immediate area around the machine or equipment to ensure that the nonessential items have been removed and that the machine or equipment components are operationally intact.

B. Check the work area to ensure that all employees have been safely positioned or removed from the area.

C. Verify that the controls are in the "neutral" position.

D. Remove the lockout and/or tagout devices and energize the machine or equipment.

E. Notify affected employees that the servicing or maintenance is completed and the machine or equipment is ready for use.

F. Return or file used lockout and/or tagout devices.

VI. EMPLOYEE TRAINING REQUIREMENTS

The employer should provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage and removal of the energy controls are acquired by the employees.

Each authorized employee should receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy sources, and the methods and means necessary for energy isolation and control.

Each affected employee should be instructed in the purpose and use of the energy control procedure.

All other employees whose work areas may or may not be in an area where energy control procedures may be utilized, should be instructed about the procedure, and about the prohibition relating to attempts to restart or reenergize machine or equipment which are locked out or tagged out.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Material Handling Safety
Policy No: 1524
Effective: June 2007
Revised: November 2006

MATERIAL HANDLING SAFETY (FT, PT, T/S)

- A. Before starting to lift or carry, check to ensure that the walkway is clear of all obstacles. Cautiously test the object to check its weight and center of gravity.
- B. Before lifting, face the object and get as close as you can with feet slightly apart. Remember, bend at your knees not at your waist.
- C. Use your legs to bring you to a standing position. Make the lift smooth and under control.
- D. When carrying an object, grip it firmly and hold it as close to your body as possible.
- E. Do not twist your body when lifting or setting an object down.
- F. If necessary, obtain assistance in lifting heavy objects by utilizing additional personnel, power equipment or other types of assisted lifting devices.
- G. When two or more persons carry a heavy object that is to be lowered or dropped, there shall be a pre-arranged signal for releasing the load.
- H. When two or more persons are carrying an object, each employee, if possible, should face the direction in which the object is being carried. Crouch or squat with the feet close to the object to be lifted; secure good footing; take a firm grip; bend the knees; keep the back vertical; and lift by bending at the knees and using the leg and thigh muscles. Employees shall not attempt to lift beyond their capacity. Caution shall be taken when lifting or pulling in an awkward position.
- I. Material shall not be thrown from place to place or person to person.
- J. A safety line or tag line should be attached to help control loads as they are lifted to elevated work areas.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Additional Safety Rules for Sanitation Employees
Policy No: 1525
Effective: June 2007
Revised: November 2006

ADDITIONAL SAFETY RULES FOR SANITATION EMPLOYEES (FT, PT, T/S)

I. CONTROL OF FALLS & SPRAINS

- A. Ride only in the cabs of vehicles or on riding platforms designed for that purpose. Riding platforms shall not be used when traveling distances greater than two tenths of a mile without stopping, or at speeds greater than ten mph.
- B. Jumping on or off of a moving garbage truck is prohibited.
- C. To get off the platform (step) of the truck, wait until the truck has come to a complete stop. Make sure that you are stepping off to solid ground. Look for potholes, rocks, wet leaves, debris, etc.
- D. Slowly and carefully step off onto a wet grass or an icy surface - do not jump.
- E. When mounting the platform (step), make sure that your foot has made good contact with the platform or step, and that you have a firm grip on the handrail. Signal the truck driver to move only when you are on the platform and you are ready.
- F. Keep all objects - such as shovels and brooms - off riding platforms and steps.
- G. Be ready for the truck to make sudden stops so you won't be thrown off.
- H. Always look in the direction that the truck is traveling. Look out for low hanging tree limbs, bushes, utility poles and overextended mailboxes. Do not ride the platform with your body leaning out beyond the body of the truck any farther than is necessary.
- I. Do not lie, sit or squat on the platform.
- J. Never ride the platform while the truck is backing up. If the truck hits a bump or deep hole, you could be thrown off.

- K. Watch for oil or grease on platforms (steps), streets and walks. Keep platforms clean at all times.
- L. The smooth edge of a platform or load step is very slippery - be careful. Make sure that you have a good grip on the hand holds (grab bars).
- M. Drivers - get a good grip on hand holds and exit the cab backwards. Do not use the wheel or wheel hub for a step.
- N. Drivers - keep bottles, cans, boxes, etc. off the floor of the cab. Keep cab clean of debris.
- O. Make sure your riding platform is in good repair.

II. MATERIALS HANDLING (Use the following procedures when lifting bags)

- A. Employee must use proper lifting techniques at all times. Size up the load and judge the weight to be lifted. This is done by holding the garbage container at the top and "rocking" it back and forth. If it is too heavy, GET HELP.
- B. Take a firm grip on the handle or the top edge of the container with one hand, tip the container, then grasp the bottom edge of the container with the other hand. The employee should follow the Commandments of Lifting described in this section.
- C. If you are lifting on a hillside or other steep surface, face the container from the downhill side and take a good stance.
- D. If the garbage container is in an area where there are potholes or the ground is uneven, move the container to an area where the ground is smooth before attempting to lift it.
- E. If the ground is wet or icy, move the container to drier area if you can do so.
- F. In wet weather keep your gloves as dry as possible. Keep rags in the truck to wipe off water, grease, etc.

III. SPECIAL HAZARDS - WASTE MATERIALS

- A. Light tubes and bulbs could explode - load these very carefully into the hopper; always stand to the side while operating the compactor. Wear your protective eyewear.
- B. Long objects such as boards, metal, etc., sticking out the top of a container should be removed from the container. These objects should be left for heavy trash pickup.
- C. If the container is overfilled, do not push down with your hands - there may be sharp objects in the can.

- D. When handling plastic bags, sharp objects could poke through the bag and puncture or cut hands or arms. Always grab bags by the neck.
- E. Employees should attempt to not allow plastic bags to brush against their body while lifting. If the bag contains needles or other sharp objects, the employee could be cut.
- F. Any sign of needles or other medical waste should be reported to the supervisor immediately.

IV. PACKER OPERATION

- A. Never activate the packer while standing in front of it; always stand to the side of the truck with head and eyes turned away.
- B. One crew member will be solely responsible for operating the packing mechanism. This person will know where his partner is at all times while operating the packer.
- C. The packer operator must be completely familiar with the location and operation of all controls and must know how to stop the packer in an emergency.
- D. Do not overload the hopper. If overloaded, let waste fall to the ground. Do not stick hands in while the packer is operating.
- E. Do not use the packer mechanism to break up long or large objects while holding onto them. Long or large objects should be left for the heavy trash pick-up.
- F. The packing mechanism must be inspected and serviced according to the manufacturer's operating manual.
- G. The packer must be operated according to manufacturer's recommendations.
- H. Check the location of other employees prior to the operation of the packer.

V. VEHICLE OPERATION AND CONDITION

- A. A "spotter" must always be used anytime a truck is backed up. Standard agreed upon hand signals must be used. Anytime that the "spotter" leaves the driver's view in the mirrors, the driver must stop immediately and only move the truck when the "spotter" comes back into view. Both the driver and spotter shall be responsible for any damages and accidents caused by their combined negligence.
- B. The driver will use his strobe or flashing lights whenever collecting is being done.
- C. The driver will use turn signal lights when turning, rather than relying on strobe or flashing lights.

- D. Do not try to flatten cardboard boxes or drive into piles of leaves in the street - there might be children playing in these.
- E. Know your vehicle's height and width clearances and be particularly cautious near low-hanging wires and tree limbs.
- F. Drive slowly and avoid potholes, bumps and all other rough driving surfaces on the route; your workers could be thrown off and seriously hurt. Speed should not exceed 20 mph with employees riding on the platforms.
- G. Trucks should be equipped with back-up alarms.
- H. Keep your truck in good condition - check your vehicle each morning, following the Pre-Trip Vehicle Check.
- I. Air tanks must be closed prior to starting vehicle.

VI. LANDFILL OPERATIONS

- A. Positive communication must be maintained between the trash/garbage truck driver and the Compactor/Gradall operators.
- B. All drivers are to check with the Landfill office before proceeding to the dump site.
- C. Wear the dust masks when the environment is dusty.
- D. Safety eyewear must be worn by personnel near the truck when they are being unloaded.
- E. Fire extinguisher must be kept in good operating condition. Everyone must be trained on its proper use.

Extra precautionary measures should be used when hooking up tow hooks and cables at the landfill when necessary in order to prevent injury from sharp objects that may exist.

POLICY & PROCEDURE MANUAL

Section: Safety
Policy: Light Duty Program
Policy No: 1526
Effective: December 1999
Revised: December 2010

LIGHT DUTY POLICY (FT, PT)

I. PURPOSE

The purpose of this policy is to assist employees in returning to work from an on-the-job injury or illness. It applies to all full-time employees who sustain an injury or job related illness at work which prevents them from performing their normal work duties, but nonetheless leaves them with some work capacity. Light duty is considered to be a rehabilitative tool in assisting an employee to regain or maintain their work tolerance.

LIGHT DUTY IS NOT AVAILABLE FOR OFF THE JOB DISABILITY, ILLNESS, INJURY OR MEDICAL CONDITION.

II. DEFINITION

For the purpose of this policy, the term "light duty" shall be any duty assigned, as a result of restrictions placed on an employee by a physician which will not allow the employee to perform the full course and scope of his/her job.

For the purpose of this policy, the term "light duty restriction" means any restriction which does not allow an employee to perform one or more of the essential functions of the job. These restrictions may include, but are not limited to, the following functions:

- A. Lifting, bending, standing, and/or carrying
- B. Inability to operate certain equipment
- C. Inability to work with certain chemicals
- D. Temporary restriction on hours of work

For the purpose of this policy, the term "light duty restriction" does not include those restrictions which do not affect the employee's performance of the essential functions of that job (example, standing restriction placed on a secretary).

III. SCOPE

A Light Duty Program is established for full-time employees who are temporarily unable to perform their regular job as a result of a work related disabling injury. An injured employee who is judged to have a Light Duty Work capacity by his treating Physician, may be given a work assignment consistent with his physical abilities and limitations. All Light Duty assignments will be subject to City guidelines and will be under the direction of the Personnel Director and the Department Director providing the light duty assignment.

The City reserves the right to require an independent physical / mental analysis / assessment as a condition of the return to light duty or full duty of an employee from an injury, illness, or medical condition.

Work assignments shall not exceed 60 calendar days. An extension may be granted at the discretion of the City Manager.

An employee is limited to a total of 120 calendar days per calendar year of Light Duty. Light Duty assignments are not intended to create permanent jobs, duties or positions with the City and the City may eliminate a light duty position at any time at its sole discretion.

IV. GUIDELINES

Treating Physicians shall be encouraged to release temporarily disabled employees to a Light Duty status. Physicians will be requested to complete the **Return to Work Evaluation** form in detail. This form will enable the City to determine a suitable work or task assignment for the injured employee. An employee's refusal to accept a Light Duty assignment may constitute insubordination and may result in disciplinary action up to and including termination.

The Personnel Director and the employee's Director and supervisor will attempt to assign an injured employee to Light Duty in their regular department whenever possible. If the restrictions listed by the Physician do not allow for a return to their regular department, the employee may be assigned temporarily to another department within the City. The department to which the employee is regularly assigned will continue to provide wages from the regularly budgeted salary account.

Employees on Light Duty assignments will not be scheduled for overtime.

Time sheets from the home department of the injured employee should be completed to show either the internal or external light duty code while the employee is on light duty.

Light Duty sign-in sheets must be completed by the supervisor of the area that is providing the light duty work. These sheets should be signed and returned to the Personnel Department at the end of each week.

Time off for medical treatment or physical therapy shall be given to the injured employee. It is expected that the employee will use reasonable time for the appointment and return to their Light Duty assignment the same day.

The Supervisors of both areas of work should be notified of any medical appointments in advance.

Employees assigned to Light Duty are responsible for maintaining acceptable performance standards and all other policies and procedures set forth in the City of Lake Jackson Employee Handbook and Safety Manual in regard to work related duties.

V. TERMINATION OF LIGHT DUTY

Light Duty assignments are temporary and will be discontinued if/when any of the following occur:

- A. The treating Physician returns the injured employee to full duty with no restrictions.
- B. The treating Physician temporarily prohibits the injured employee from continuing with a light duty assignment.
- C. There is no longer any task available within the City which can be performed by the injured employee, given their current restrictions.
- D. The injured employee fails to meet any performance measures of the assigned position.
- E. The treating Physician indicates that the injured employee has reached maximum improvement and will not be able to return to their prior position.
- F. An injured employee has been on a Light Duty assignment for a period of two (2) months and has not been granted an extension by the City Manager, which is the maximum time allowed for any employee to remain on Light Duty Work.
- G. The injured employee fails to comply with all rules, regulations, or stipulations of the light duty program and/or the policies of the City of Lake Jackson.

VI. RETURN TO REGULAR DUTY

If an employee has been on light duty as the result of an on-the-job injury or illness, and is released by the treating physician to regular duty, the employee may be sent for a return to work physical before being allowed to return to regular duty.

- 1. The Personnel Office will arrange for the return to work physical and provide the required forms.
- 2. The employee may return to work after taking the return to work physical, but must remain on light duty until given clearance by the Personnel Department to return to regular duty.

VII. UNABLE TO RETURN TO REGULAR DUTY

If, after a period of Light Duty assignment, an employee is unable to return to his/her job or a reasonably comparable position because of the disability, the employee may be placed on Worker's Compensation Leave and make application for long-term disability benefits, if eligible.

If an employee's condition is such that a return to work would mean permanent or long-term limitations, restrictions, or accommodations, the employee should be evaluated for Reasonable Accommodations, not Light Duty. The City will take action as necessary,

feasible and practicable to reasonably accommodate the individual as required by the American's with Disability Act (ADA) and the Family and Medical Leave Act (FMLA)

VIII. INFORMATION RESPONSIBILITIES

It is the responsibility of the injured employee and the employee's supervisor or Human Resources Designee, to inform the treating Physician of the City's policy on Light Duty.

The injured employee and/or the supervisor shall give the treating Physician the Return to Work Evaluation form and a copy of the employee's job description and physical demands of the job.

Responsibilities of the Supervisor of an Employee on Light Duty

It is the responsibility of the department head that receives an employee on the Light Duty program to:

- A. Supervise the work of the injured employee so that performance standards of the assigned position are met.
- B. Notify their Director and the Personnel Director if the injured employee fails to meet the performance standards of the position.
- C. Notify their Director and the Personnel Director of any physical compliance rules or restrictions not adhered to be the injured employee.
- D. Notify their Director and the Personnel Director if the injured employee fails to keep a good attendance record or takes time off.

Responsibilities of the Employee on Light Duty

It is the responsibility of the employee on the Light Duty program to:

- A. Inform the treating Physician of the City's policy on Light Duty.
- B. Provide the City with at least a monthly physical assessment of their condition as specified by the Personnel Department.
- C. Notify their regular supervisor and light duty supervisor of medical appointments in advance.
- D. Present a written request for extension of light duty, with supporting documentation, to the City Manager.