

**CITY OF SUNRISE BEACH VILLAGE
ORDINANCE NUMBER 384**

AN ORDINANCE OF THE CITY OF SUNRISE BEACH, TEXAS PROVIDING FOR THE ADOPTION AND REVISION OF GENERAL POLICIES APPLICABLE TO THE PERSONNEL IN THE CITY OF SUNRISE BEACH; MAKING DECLARATIONS, PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, it is necessary and reasonable for the City of Sunrise Beach, Texas (herein "City"), a general law municipal corporation, to provide, modify and amend policies, rules, regulations, and procedures governing, operation, administration and professional development of the police officers, employees, and personnel of the City of Sunrise Beach

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SUNRISE BEACH, TEXAS, THAT:

Section 1. Findings. The forgoing recitals are hereby to be true and correct and are hereby adopted by the City Council and made part hereof for all purposes as findings of fact.

Section 2. Administrative Policies and procedure of the City of Sunrise Beach. The City shall adopt and, from time to time as necessary and advisable, amend, modify, review, and revise comprehensive general policies and procedures that shall be applicable to the administration, operation, organization, and professional development of the employees of the City.

Section 3. City Council Approval. The general policies of the City, and all revisions, modifications and amendments thereto, shall be approved by the City Council, in its discretion, by resolution, and no such policies, procedures, revisions, modifications or amendments shall be in effect except as approved by the City Council acting by resolution, and all, or any part of, such policies, procedures, rules, regulations, revisions, modifications and amendments may be repealed, deleted, modified or amended, at any time by the City Council acting in its discretion.

Section 4. Employments Contracts. The personnel policies and procedures, rules, and regulations of the City shall never be construed or interpreted to create or result in any contract for employment, or to create, establish or result in any officer or employee of the City having or obtaining a property interest in any job, position, employment or future benefit with the City, The City of Sunrise Beach is an at-will employer and it is the policy of the City that all officers and employees of the City shall be at-will. Save and except for a written contract executed by and between the City and an individual officer or employee, is any, which written contract is approved by majority vote of the City Council, acting as

a duly noticed public meeting, with the advice and counsel of the city attorney, no officer or employee of the City shall have or obtain, by implication or otherwise, any employment contract with the City.

Section 5. Interpretation and Construction. The personnel policies and procedures, rules, and regulations of the City, as approved by resolution from time to time, shall be interpreted and construed consistent with this ordinance and in a manner consistent with the City being and remaining an at-will employer. This ordinance shall not affect specific policies adopted by ordinance for specific departments within the City unless expressly provided. Policies adopted by ordinance for the Sunrise Beach Police Department shall not be affected hereby. Where a conflict exists between a policy governed by this ordinance and a policy adopted by ordinance for a specific department, the more restrictive policy shall govern.

Section 6. Repeal of Conflicting Ordinances. All ordinances, parts of ordinances and sections of the City Ordinances in conflict with this ordinance are hereby amended and repealed to the extent of such conflict. Any and all general policies, rules and regulations of the heretofore adopted and in effect which are inconsistent herewith are hereby repealed. Any and all personnel policies, rules and regulations of the City heretofore adopted and in effect at the time of adoption shall be not affected hereby.

Section 7. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 8. Effective Date. This ordinance shall take effect on October 1, 2022, and after its passage and signature by the Mayor.

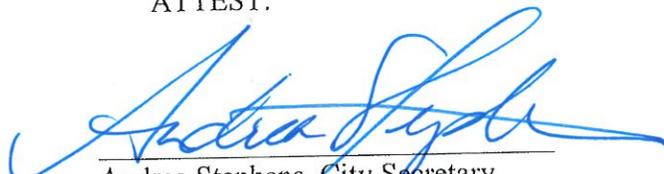
Section 9. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't Code.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNRISE BEACH VILLAGE, LLANO COUNTY, TEXAS: THAT THIS PERSONNEL POLICY BE ADOPTED THIS THE 18th DAY OF AUGUST 2022.

APPROVED:


Chellie Stewart, Mayor

ATTEST:


Andrea Stephens, City Secretary

**SUNRISE BEACH VILLAGE
PERSONNEL POLICIES
2022**

TABLE OF CONTENTS

<u>PROMULGATION OF PERSONNEL POLICIES</u>	<u>5</u>
AUTHORITY:.....	5
RESPONSIBILITY FOR IMPLEMENTATION OF PERSONNEL POLICIES:	5
PURPOSE:	5
APPLICABILITY OF PERSONNEL POLICIES:.....	5
DISSEMINATION OF PERSONNEL POLICIES:.....	5
EMPLOYEE SUGGESTIONS:.....	5
<u>GENERAL POLICIES</u>	<u>6</u>
EQUAL EMPLOYMENT OPPORTUNITY:	6
SEXUAL HARASSMENT:.....	6
INTIMATE RELATIONSHIPS:.....	7
COMPLAINT PROCEDURE:	7
RETALIATION:	7
TRAINING:	8
ACKNOWLEDGEMENT:	8
<u>EMPLOYEE RESPONSIBILITIES</u>	<u>8</u>
GENERAL:	8
CODE OF CONDUCT:	8
TIMELINESS:.....	9
GIFTS:	9
POLITICAL ACTIVITY:.....	9
COMMUNICATIONS:	10
CHAIN OF COMMAND:	10
SOLICITATIONS:	10
CALL OUTS:	10
<u>HIRING PRACTICES</u>	<u>11</u>
AFFIRMATIVE ACTION:	11
DRUG TESTING:.....	11
EMPLOYMENT OF RELATIVES (NEPOTISM):	11
AGE REQUIREMENTS:.....	11
VACANCIES:	11
METHOD OF RECRUITMENT AND SELECTION:	11

CATEGORIES OF EMPLOYMENT:.....12
 PROBATIONARY EMPLOYMENT:.....12

EMPLOYEE COMPENSATION.....13

PAYDAYS:13
 CHECK DELIVERY:13
 PAYROLL DEDUCTIONS:13
 PAY INCREASES:13
 PROMOTIONS:.....13
 LATERAL TRANSFERS:14
 DEMOTIONS:14

WORK SCHEDULES AND TIME REPORTING14

WORKWEEK:.....14
 SCHEDULE ADJUSTMENTS:14
 LUNCH AND REST BREAKS:.....14
 TIME REPORTING:14

BENEFITS15

MEDICAL, DISABILITY AND LIFE INSURANCE:15
 SOCIAL SECURITY:15
 MEDICARE:15
 RETIREMENT:.....15
 WORKERS COMPENSATION:15
 UNEMPLOYMENT INSURANCE:16

LEAVE TIME16

DEFINITION:.....16
 UNAUTHORIZED ABSENCE:16
 APPROVAL OF LEAVE:16
 SICK LEAVE:.....16
 ACCRUAL OF PAID SICK LEAVE:.....16
 MEDICAL STATEMENT:17
 USE OF SICK LEAVE:17
 PREGNANCY:17
 VACATION LEAVE:17
 VACATION ACCRUAL:17

PANDEMIC LEAVE:	18
ADMINISTRATIVE LEAVE:.....	18
FUNERAL LEAVE:	18
ABANDONMENT OF POSITION:.....	18
<u>HOLIDAYS</u>	<u>19</u>
GENERAL POLICY:.....	19
WORKING DURING HOLIDAYS:.....	19
HOLIDAYS DURING VACATION:.....	19
<u>HEALTH AND SAFETY</u>	<u>19</u>
SAFETY POLICY:.....	19
<u>USE OF CITY PROPERTY</u>	<u>20</u>
USE OF TOOLS, EQUIPMENT, PROPERTY AND VEHICLES:	20
VALID DRIVER’S LICENSE:.....	20
ACCIDENT REPORTING:.....	20
<u>DISCIPLINARY ACTION:.....</u>	<u>20</u>
JUST CAUSE:.....	20
PROGRESSIVE DISCIPLINE:	21
<u>GRIEVANCE PROCEDURE</u>	<u>22</u>
TIME LIMITS:.....	22
STEPS IN THE GRIEVANCE PROCESS:	22
<u>SEPARATIONS</u>	<u>23</u>
RESIGNATION:	23
RETIREMENT:.....	23
REDUCTION IN WORK FORCE:	23
DISMISSAL:	23
DISABILITY:	24

PROMULGATION OF PERSONNEL POLICIES

AUTHORITY:

These policies are established by the City Council; and any amended, revised, or new policies must be approved by the City Council.

In addition to these personnel policies, Department Heads may establish departmental rules and regulations that relate specifically to their department. Departmental rules and regulations shall not conflict with these policies and must be approved by the Mayor.

RESPONSIBILITY FOR IMPLEMENTATION OF PERSONNEL POLICIES:

The Mayor is responsible for the administration of the personnel policies and procedures. The Mayor may delegate authority to appropriate staff members to act on his/her behalf.

Except for matters personnel actions reserved for the City Council by statute or ordinance, final authority on personnel decisions is reserved for the Mayor.

PURPOSE:

These policies set forth the primary rules governing employment with the city. The policies contained here inform employees of the benefits and obligations of employment with the City. They have been prepared and adopted to promote consistent equitable and effective practices by both employees and supervisors which will result in high quality public service to the citizens of Sunrise Beach.

APPLICABILITY OF PERSONNEL POLICIES:

This policy is applied equally to all employees of the City unless a class of employees is specifically exempted by these policies.

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

DISSEMINATION OF PERSONNEL POLICIES:

The Mayor, the City Secretary, and Department Heads collectively maintain complete sets of the personnel policies with all revisions for reference by employees. In addition, the personnel office will provide a complete copy of this manual and copies of all subsequent revisions to each Department Head who keeps the updated manual available to all employees in the department.

EMPLOYEE SUGGESTIONS:

Employees are encouraged to make constructive suggestions for improvements in these policies or in work procedures or conditions.

GENERAL POLICIES

EQUAL EMPLOYMENT OPPORTUNITY:

The City of Sunrise Beach Village (City) is committed to a policy of equal employment opportunity. The personnel policies and the affirmation action plan of the City afford equal employment opportunities to all individuals without discrimination based on political or religious affiliations or because of race, color, national origin, sex, physical disability, age (except when age, sex or physical requirements constitute a bona fide occupational qualification necessary for the proper and efficient functioning of the job).

It is also the policy of the City of Sunrise Beach Village to provide a work environment which is free from sexual harassment, which consists of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, or any other conduct which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

SEXUAL HARASSMENT:

The City of Sunrise Beach Village is committed to taking all reasonable steps to prevent all forms of discrimination and harassment in the workplace. In particular, the City strives to maintain a work environment that is free of sexual harassment, sexual exploitation, and intimidation. In addition to other forms of discrimination, the City maintains a strict policy prohibiting sexual (i.e., gender-based) harassment, which will not be tolerated from any employees or supervisors at any level.

Sexual Harassment is defined as:

Any unwanted sexual advances, requests for sexual favors or visual, verbal, or physical conduct of a sexual nature or based on a person's gender when:

1. Submission to such conduct is made a term or condition of employment; or
2. Submission to or rejection of such conduct is used as a basis for employment decisions affecting an individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

The following is a partial list of conduct that could be sexual harassment:

1. Unwanted sexual advances or propositions.
2. Offering employment benefits in exchange for sexual favors.
3. Making or threatening reprisals after a negative response to sexual advance.
4. Visual conduct (i.e., leering, making sexual gestures, displaying of sexually suggestive objects, pictures, cartoons posters).

5. Verbal conduct (i.e., making or using derogatory comments sexually explicit jokes, or comments about an employee's body or dress).
6. Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, or suggestive or obscene letters, notes, invitations, or e-mails.
7. Physical conduct (i.e., touching, impeding, or blocking movement).

Sexual harassment on the job is unlawful whether it involves co-worker's harassment or harassment by a supervisor or manager. All employees found to have engaged in sexual harassment will be subject to disciplinary action, including possible termination.

INTIMATE RELATIONSHIPS:

A manager or supervisor engaged in an intimate relationship (i.e., sexual relationship) with an employee must disclose the nature of the relationship to upper management. A manager or supervisor engaged in such a relationship is prohibited from serving in a decision-making role for that employee.

COMPLAINT PROCEDURE:

Employees who believe they have been sexually harassed on the job or who are aware of the harassment of others must provide a written or verbal complaint to the Mayor, Mayor Pro-Tem, or City Council Member as soon as possible. The complaint must include details of the incident(s), names of individuals involved, and the names of any witnesses. Supervisors and Managers must **immediately** refer all harassment complaints to the Mayor or Mayor Pro-Tem.

All incident of sexual harassment that are reported, verbally or in writing, will be investigated.

The Mayor or designated representative will immediately undertake an effective, thorough, and objective investigation of the harassment allegations. The investigation will be completed and a determination regarding the alleged harassment will be made and communicated to the employee(s) who initiated the complaint and the accused harasser(s). If a complaint of sexual harassment is substantiated, appropriate disciplinary action, up to and including termination, will be taken.

Complaints and investigations will be conducted with confidentiality to the greatest extent possible. **Anonymity is not guaranteed.**

RETALIATION:

The City policy prohibits retaliation against any employee, by another employee or by the City, for using this complaint procedure or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding or hearing conducted by the City or by a federal, state, or local enforcement agency.

TRAINING:

All employees and supervisors are required to attend annual sexual harassment training sessions as scheduled by the Mayor or Mayor Pro-Tem.

ACKNOWLEDGEMENT:

All employees must sign an acknowledgement form indicating they have attended or completed sexual harassment training and have reviewed and understand the City's policy on sexual harassment. This form will be placed in the employee's personnel file.

EMPLOYEE RESPONSIBILITIES

GENERAL:

The City of Sunrise Beach Village is a public, tax-supported organization. The employees must adhere to high standards of public service that emphasizes professionalism, courtesy and avoidance or even the appearance of illegal or unethical conduct. Employees are required to carry out efficiently the work items assigned as their responsibility, to maintain good moral conduct and to do their part in maintaining good relationships with the public, City officials, their supervisors, and their fellow employees.

CODE OF CONDUCT:

Employees shall conduct themselves at all times in such a manner as to reflect most favorably on the City. Conduct unbecoming an employee shall include that which tends to reflect discredit upon the employee or City, or that which tends to impair the operation or efficiency of the City. Such offenses do not need to be specifically defined or set forth. Rules of conduct cannot be established to cover all incidents that may arise. Therefore, it is the duty of each individual employee to regulate his or her own actions. Any act of omission contrary to good order, moral or discipline shall be subject to disciplinary action.

1. *Legal Compliance.* Members shall not commit any acts or omit any acts that constitute a violation of any of the laws, rules or policies of the City or of the county, state or federal government.
2. *Public Perception.* Employees shall exhibit professional conduct at all times and shall not engage in any activity, including unlawful activity, which brings embarrassment, dishonor, or disrespect upon employees or the City.
3. *Truthfulness.* Employees will not intentionally make false or misleading statements regarding any work related matters. Any statement or omission of pertinent information which intentionally, knowingly, or recklessly misrepresents facts or misleads others will be considered a false statement.

4. *Productivity.* Employees are expected to give a productive day's work to the best of their ability and skill. Employees will be attentive to their duties and perform all duties assigned to them. Employees that run out of assigned tasks should seek out additional work to fill their shift.
5. *Communication.* Employees will communicate in a positive and respectful manner with co-workers, supervisors, subordinates, visitors, and citizens.
6. *Sanitation.* Employees will present at work in a well-kept and hygienic manner and will keep their workstations well organized and clean.
7. *Safety.* Employees will not participate in horseplay, scuffling, running or throwing objects or any other behavior that constitutes a safety risk at any time on company premises.
8. *Work Environment.* Employees will not participate in behavior that creates a hostile work environment for other employees. Employees will not participate in spreading false or derogatory statements or gossip regarding fellow employees.
9. *Drugs and Alcohol.* Employees may not be in possession of, or under the influence of alcohol or any drugs that were not properly prescribed to that employee while in the workplace.

TIMELINESS:

Employees are to be punctual in reporting for work, keeping appointments and meeting schedules for completion of work.

An employee who expects to be late or absent from work must report the expected tardiness or absence to his/her supervisor within fifteen (15) minutes after the time the employee is scheduled begin work.

GIFTS:

Employees will not accept gifts from contractors, vendors or other persons who have business dealing with the City.

POLITICAL ACTIVITY:

Employees are encouraged to vote and to exercise other prerogatives of citizenship consistent with State and Federal law and these policies.

A City employee may not:

1. Use his/her official authority to interfere with or affect the result of an election or nomination for office; and
2. Directly or indirectly coerce, attempt to coerce, command, or advise a local State officer.

COMMUNICATIONS:

Matters that involve City policy, operations, and organization are brought before the Mayor or by a person designated to do so by the Mayor.

A City employee may request that a matter be considered by the City Council or the Mayor by submitting the request in writing to his/her department head who will forward the communication to the Mayor.

Communications with the public about City business or problems is the responsibility of the Mayor. Employees are to refer the public to the Mayor if a question is non-routine, controversial or outside of the scope of the employee's normal duties.

Employees may, from time to time, be given directions or receive requests from persons other than their immediate supervisor. This includes directives from City Council members. In such cases, the employee must notify his/her immediate supervisor about the directive, its purpose, and the relevant facts of the situation. The immediate supervisor may approve or disapprove the request contingent on daily workload. Final approval for requests resides with the Mayor. Failure to do so in a timely manner may result in disciplinary action.

CHAIN OF COMMAND:

For the City to function properly as an organization, it is necessary that employees adhere to the City's chain of command. Under no circumstances should an employee bypass his/her immediate supervisor.

SOLICITATIONS:

Solicitation of funds for any purpose is not permitted by or of City employees on the job unless written approval by the Mayor has been given in advance.

CALL OUTS:

All City employees are always subject to call outs. Unless there is an emergency that demands the employee's immediate attention, the employee will report for duty without delay and will continue working as long as they are needed.

If the employee has just cause for not reporting, he/she will state their reasons to their immediate supervisor. The Mayor will be advised of all such incidents in writing. Failure to do so in a timely manner may result in disciplinary action. Employees who refuse to report for call out duty without just cause will be suspended without pay immediately by his/her immediate supervisor and will be subject to termination by the Mayor.

HIRING PRACTICES

AFFIRMATIVE ACTION:

The City will take affirmative action to see that applicants are employed, and employees are treated without discrimination based on race, age, religion, color, handicap, national origin, gender, political affiliation or belief or any other non-merit factors.

DRUG TESTING:

The City may perform pre-employment, post-accident, and reasonable cause drug screening of all employees. Random drug screening may also be conducted at the discretion of the Mayor. If an employee tests positive, it may result in disciplinary action up to and including termination. Employees are encouraged to check the current insurance plan for treatment and rehabilitation options.

EMPLOYMENT OF RELATIVES (NEPOTISM):

Nepotism is the showing of favoritism toward a relative. The practice of nepotism in hiring personnel or awarding contracts is forbidden by the City. Persons related to the Mayor or City Council members within the second degree of affinity (marriage) or within the third degree by consanguinity (blood) and stepchildren and adopted children may not be hired.

An employee who falls in one of the two categories above may continue employment with the City if they have been employed for more than one (1) year prior to the election of the Mayor or City Council member.

In addition, no personnel action will be taken that would result in any employee supervising another employee who is related within the second degree of affinity (marriage) or within the third degree of consanguinity (blood) to the supervising employee.

AGE REQUIREMENTS:

Persons under sixteen (16) years of age will not be employed in any full-time position. Persons under eighteen (18) years of age will not be hired in any hazardous occupations.

Other age limitations meet the requirements of State or Federal laws applicable by the City.

VACANCIES:

Vacancies in the City staff are filled based on merit, whether by promotion or initial appointment. Selections of the best qualified persons are made only based on occupational qualifications and job-related factors such as skill, knowledge, education, experience, and ability to perform the specified job.

METHOD OF RECRUITMENT AND SELECTION:

The City has four (4) methods of recruiting and selecting persons to fill vacancies:

1. Promotion from within,

2. Lateral transfer from within,
3. Public announcement and competitive consideration of applications for employment, or
4. Selection from a valid current eligibility list

The Mayor determines the method of selection to be used in filling each vacancy.

CATEGORIES OF EMPLOYMENT:

There are three (3) categories of employment for employees of the City:

Regular Full-time:

A regular full-time employee has a work schedule that involves forty (40) work hours per week.

There are two schedule choices for full-time employees (***except for the police whose schedules are determined by the Chief of Police due to shift work***):

8:00am- 4:00pm with a one (1) hour paid lunch period, if employee stays on site, those going off site for lunch must clock out. Any time over one (1) hour will be deducted.

7:30am – 3:30pm with a one (1) hour paid lunch period if employee stays on site, those going off site for lunch must clock out. Any time over one (1) hour will be deducted.

The Mayor will determine the schedule for each employee.

Regular Part-time:

A regular part-time employee has a work schedule that involved fewer than forty (40) hours per week.

Temporary:

A temporary or seasonal employee hired to complete a specific project within a specified period. Temporary employees may be full-time or part-time. They are not entitled to the City's fringe benefits other than worker's compensation and, in some instances, unemployment insurance. Temporary employees are employed at will and may be dismissed with or without cause at any time during their employment.

PROBATIONARY EMPLOYMENT:

All regular employees are probationary for a period of three (3) months. The probationary period will be utilized for closely observing the employee's work, for securing the most effective adjustment for a new employee to the position and for dismissing any employee whose performance does not meet the required work standards. **(Refer to police policies for policies on probationary employment).**

EMPLOYEE COMPENSATION

PAYDAYS:

The pay period for the City is every 2 weeks. Checks are issued on the last day of the pay period.

If the payday falls on a holiday or weekend, checks will be issued on the last working day preceding the holiday or weekend.

CHECK DELIVERY:

Pay checks will not be issued prior to the days listed above. No pay advances or loans will be made to an employee for any reason.

PAYROLL DEDUCTIONS:

Deductions will be made from employee's pay for the following:

1. Federal income taxes
2. Social Security
3. Medicare
4. TML Retirement System contributions
5. Any other deductions required by law
6. Medical insurance for dependents (optional)

MERIT INCREASES:

Merit increases may be granted to reward performance in the same position. They are not used to recognize increased duties and responsibilities (a promotion) and are granted without regard to cost-of-living factors or tenure. Merit increases recognize outstanding performance from evaluation results of the employee. Any merit increases must be approved by the Mayor within authorized budget limits.

INCENTIVE INCREASES:

Incentive increases may be granted for advancement in education or individual field, as set out by department. They are not used to recognize increased duties and responsibilities (a promotion) and are granted without regard to cost-of-living factors or tenure. Any incentive increases must be approved by the Mayor within authorized budget limits.

PAY INCREASES:

Cost-of-living increases are considered annually for all employees, except those hired within the preceding 12 months.

PROMOTIONS:

A promotion is a change in the duty assignment of an employee from one classification into another classification in a higher pay group. A promotion recognizes advancement to a higher

position requiring higher qualifications and involving greater responsibility. A promoted employee will receive a pay increase as soon as it is possible to do so within the limits of the budget.

Promotions are approved by the Mayor within the staffing pattern and budget limits approved by the City Council.

Upon promotion, an employee is probationary in the new position for three (3) months and may be returned to a lower job classification at any time during the probationary period if performance is inadequate.

LATERAL TRANSFERS:

A lateral transfer is the movement of an employee between positions in the same pay group within the City. Lateral transfers may be made within the same department or between departments and are subject to a three (3) month probationary period.

DEMOTIONS:

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

WORK SCHEDULES AND TIME REPORTING

WORKWEEK:

The Chief of Police, Chief of Maintenance, and the City Secretary, in consultation with the Mayor, set the work schedules for their prospective departments.

SCHEDULE ADJUSTMENTS:

Schedule adjustments are to be requested by the Department Head and approved by the Mayor.

LUNCH AND REST BREAKS:

During the workday, employees are entitled to a one (1) hour lunch break. Lunch breaks will be assigned by the immediate supervisor.

If an employee abuses the breaktimes, they are subject to disciplinary action.

TIME REPORTING:

Exempt Employees

Exempt personnel may be paid on a salary basis regardless of the number of hours needed to complete the tasks. They are not entitled to over-time pay or comp time under Texas or Federal Law. The City chooses to offer comp time for exempt employees by giving paid days off at the

employee's regular pay rate. Comp time must be taken within sixty (60) days and is not accruable past sixty (60) days. Comp time cannot be reimbursed in lieu of time off.

All exempt employees shall turn in timecards by 8:00am on payday, including sick days and vacation days taken.

Non-Exempt Employees

All non-exempt employees shall turn in timecards by 8:00am on payday. All non-exempt employees shall keep a biweekly record of time lost, overtime, sick days and vacation days taken. Non-exempt employees shall be treated as such in compliance with state and federal labor laws.

BENEFITS

MEDICAL, DISABILITY AND LIFE INSURANCE:

The City provides group hospitalization and medical insurance coverage as well as life and disability insurance for regular full-time employees. Premiums for employees are paid by the City. An eligible employee may add medical/hospitalization coverage for dependents at the employee's expense.

Full-time employees have thirty-one (31) days from date of employment to add eligible dependents to the City's group insurance plan without providing proof of insurability. After thirty-one (31) days have passed, enrollment of dependents is subject to acceptance by the group health insurance carrier.

SOCIAL SECURITY:

All employees of the City are covered by Social Security. The City matches each employee's contribution to the Social Security system as required by law.

MEDICARE:

All employees of the City are covered by Medicare. The City matches each employee's contribution to the Medicare system as required by law.

RETIREMENT:

The City is a member of the TML Retirement System. Membership in the retirement system is mandatory for all full-time employees. Both the employee and the City contribute to the employee's retirement account. Ordinance #170, Texas Municipal Retirement System governs the participation and contributions paid by the City and the employee.

WORKERS COMPENSATION:

All employees of the City are covered by the Workers Compensation insurance program. The City pays the premiums. This insurance provides medical expenses and a weekly payment if an

employee is absent from work because of a bona fide, on-the-job work-related injury for more than seven (7) days.

An employee may seek medical treatment from a physician of their choice. The City requires statements of medical condition and a release to return to work from the attending physician. An employee may be required to submit to an examination by an independent physician as determined by the Mayor at the City's expense

UNEMPLOYMENT INSURANCE:

All employees of the City are covered under the Texas Unemployment Compensation program. The City pays the premium.

LEAVE TIME

DEFINITION:

Leave time is time during normal working hours to which an employee does not engage in the performance of job duties. Leave time may be paid or unpaid.

UNAUTHORIZED ABSENCE:

An unauthorized absence is one in which an employee is absent from regular duty without permission of the supervisor or department head. Employees are not paid for unauthorized absences and such absences are cause for disciplinary action including termination.

APPROVAL OF LEAVE:

All leave taken by City employees must be approved by the employee's immediate supervisor. Copies of the signed leave forms are sent to the City Secretary for inclusion in the employee's personnel file.

SICK LEAVE:

Approval of sick leave for non-emergency medical, dental, or optical appointments must be secured in advance. In all other instances of use of sick leave, the employee must notify his/her supervisor as early as practical on the first day of the absence and request approval.

ACCRUAL OF PAID SICK LEAVE:

Regular full-time employees will accrue Eighty (80) hours of sick leave per year

Temporary employees do not accrue sick leave.

Full time employees may roll over their sick leave from one year to the following year. Full time employees can bank a maximum of 320 hours sick leave.

Accrued sick leave will not be paid upon employee's termination or resignation.

MEDICAL STATEMENT:

Employees who consistently use their sick leave as it is earned or who fail to accumulate sick leave will be required to submit a doctor’s statement in support of illness. Failure to present the statement, if requested by the supervisor, may result in the absence being recorded as “leave without pay” and may subject the employee to disciplinary action.

USE OF SICK LEAVE:

Employees must notify their supervisor of the need to be placed on sick leave no later than the first day of absence, preferably at the beginning of the first workday absent (within fifteen (15) minutes of the scheduled time to begin work). Failure to do so may result in the employee being placed on leave-without-pay status and could result in disciplinary action against the employee. Employees are expected to return to work as soon as their reason for leaving has been resolved.

Sick leave is not to be considered as a right which an employee may use at their discretion but shall be allowed only in case of necessity and actual sickness or disability of the employee, employee’s spouse or child, the parents of the employee or a legal dependent of the employee.

Minor ailments which would not affect the safety or health of the employee or other persons or property while performing job duties do not qualify an employee for sick leave.

PREGNANCY:

Pregnancy is treated in the same manner as any other extended illness or temporary disability.

VACATION LEAVE:

All regular full-time employees of the City are entitled to vacation leave. After completion of the probationary period, vacation leave will be awarded based on the accrual schedule below.

Full-time employees may carryover up to six (6) weeks or (240) hours of vacation.

Temporary employees do not earn vacation leave.

VACATION ACCRUAL:

All Full-time employees will receive vacation time based on terms of service as described below.

0-2 years of service	5 workdays per year
3 - 6 years of service	10 workdays per year
7 and above years of service	15 workdays per year

To activate accrued vacation leave, the employee may request time off through their immediate supervisor.

After maximum accrued vacation leave is reached, it may also be sold back to the City at a ratio of two (2) to one (1). (i.e., accrued vacation leave of four (4) days can be sold back to the City for two (2) days of pay).

PANDEMIC LEAVE:

The definition of a pandemic is:

An even such as influenzas and/or virus that spreads across a large geographic area and the general population does not have immunity.

In the event of a pandemic and employees are told not to report to work, employees will be given the option of working from home (if applicable) and paid their current rate of pay and the employee's benefits will not be affected. However, employees are subject to recall at any time and must be available to return to work. If they are not available, disciplinary action may be taken.

If an employee cannot work from home, they may access any accrued benefits to subsidize their pay.

ADMINISTRATIVE LEAVE:

The Mayor is authorized to grant administrative leave to an employee in certain limited circumstances not otherwise provided for in these policies. Paid or unpaid status for administrative leave will be determined by the Mayor.

FUNERAL LEAVE:

Funeral leave with pay may be granted for reasons of a death in an employee's immediate family. For purposes of funeral leave, family members include spouse, child, parent, brother, sister, uncle, aunt, nephew, niece, and grandparents or any other relative living in the employee's household. Funeral leave is limited to no more than three (3) days per occurrence. Proof of the death (death certificate, obituary or funeral program) must be submitted for payment to be approved. The length of time granted for funeral leave must be approved by the Mayor in advance and will depend on the circumstances.

ABANDONMENT OF POSITION:

Unauthorized absence from work for a period of two (2) consecutive days will be considered by the Mayor, Chief of Police or Chief of Maintenance as a resignation. Unless the Mayor determines otherwise, the resignation is not in good standing and the employee is not eligible for re-employment.

HOLIDAYS

GENERAL POLICY:

The following are observed as paid holidays for regular full-time employees (these coincide with the Llano County holiday schedule):

1. New Year's Day
2. Martin Luther King Day
3. President's Day
4. Good Friday
5. Memorial Day
6. Independence Day
7. Labor Day
8. Columbus Day
9. Veterans' Day
10. Thanksgiving Day (2 days)
11. Christmas Day (2 days)

The Mayor may designate other holidays in accordance with directions from the City Council.

An employee who has an unscheduled absence from their regularly scheduled workday immediately preceding and/or following a holiday will not be paid for the holiday.

Whenever a holiday listed above falls on a Saturday or Sunday, it will be observed on the Friday preceding or the Monday following the holiday as determined by the Mayor and City Council.

WORKING DURING HOLIDAYS:

It is not always feasible to grant holidays at the scheduled time, especially for employees assigned shifts of an "around-the-clock" operation. Any department head who finds it necessary to do so, may direct some or all employees to work an emergency on a call out basis or the entire shift. Employees will be paid regular pay for working the holiday and eight (8) hours of holiday pay in the same pay period. (Law enforcement may have different parameters for working holidays and should refer to police policies).

HOLIDAYS DURING VACATION:

If an official holiday falls within a regular full-time employee's vacation, the employee will be granted the holiday and not charged for a day of vacation. (Law enforcement may have different parameters for holidays and should refer to police policies).

HEALTH AND SAFETY

SAFETY POLICY:

It is the policy of the City to make every effort to provide healthful and safe working conditions for all employees.

Employees are responsible for conducting their work activities in a manner that is protective of their own health and safety, as well as that of other employees.

An employee must report every on-the-job accident, no matter how minor, to his/her supervisor.

Employees are encouraged to make suggestions to their supervisors of improvements that would make the City workplace safer and more healthful.

USE OF CITY PROPERTY

USE OF TOOLS, EQUIPMENT, PROPERTY AND VEHICLES:

Employees who are assigned tools, equipment, vehicles, or any other City property by their departments are responsible for them and their proper use and maintenance.

VALID DRIVER'S LICENSE:

All operators of City vehicles and equipment are required to have a valid Texas driver's license necessary for that vehicle or equipment and to keep supervisors informed of any change of status in their license.

Employees whose positions require the operation of a motor vehicle are expected to obey all traffic laws and always avoid accidents, even when driving their own vehicles during non-working hours. Failure to maintain a satisfactory driving record shall be deemed a violation of this policy and shall subject the employee to disciplinary action and/or dismissal.

ACCIDENT REPORTING:

Any employee operating City equipment or vehicles must report vehicular accidents and property damage, or liability claims to his/her supervisor and the police immediately.

Each vehicular accident, no matter how minor, must be reported to the Police department so that an official accident report can be filed. The Police Department shall notify the Mayor by delivering a copy of all accident reports involving City equipment or vehicles as soon as the investigation is completed. Copies also must be sent to the department supervisor and the City Secretary.

DISCIPLINARY ACTION:

JUST CAUSE:

Disciplinary action may be taken against any employee for just cause. Just cause for disciplinary action includes, but is not limited to the following:

1. Insubordination

2. Absence without leave (includes absence without permission, failure to notify a supervisor of sick leave and repeated tardiness or early departure)
3. Endangering the safety of the employee and/or other persons through negligent or willful acts
4. Intoxication or drug abuse while on duty or while on City property or in a City vehicle
5. Unauthorized use of public funds or property
6. Violation of the requirements of these personnel policies
7. Conviction of a felony
8. Conviction of official misconduct, oppression, or perjury
9. Falsification of documents or records
10. Unauthorized use of official information or unauthorized disclosure of confidential information
11. Sexual harassment by any City employee
12. Incompetence or neglect of duty
13. Disruptive behavior which impairs the performance of others
14. Any violation of the City Code of Conduct

Policies and Procedures for disciplinary action for the Police Department are covered in the Sunrise Beach Police Department Policies and Procedures manual.

PROGRESSIVE DISCIPLINE:

The Mayor may take disciplinary action, including dismissal, affecting an employee at any time. The severity of the discipline depends upon the nature of the infraction. However, the City uses a progressive system that includes the following steps. Depending on the severity of the action, the City may not utilize all the steps and may utilize them in conjunction with other disciplinary action.

1. Oral warnings - with record of each warning maintained by the supervisor
2. Written reprimands – the supervisor must, in all cases, submit a copy to the Mayor and to the employee’s personnel file.
3. Suspension from duty – this can be with or without pay for up to thirty (30) days and renewable after an informal review of the circumstances.
4. Separation – by involuntary dismissal

Actions other than oral or written warnings require the approval of the Mayor.

Except in the case of oral warnings, disciplinary action must be accomplished or preceded by oral or written notice to the employee involved.

Notice includes a description of the just cause for the action and, except in cases of dismissal, states the likely consequences of further unsatisfactory performance or conduct. Written notice of disciplinary action is included in the employee’s personnel file.

GRIEVANCE PROCEDURE

If an employee feels his/her supervisor has violated any City policies, regulations, state, or federal laws, treated the employee improperly or unfairly, sexually harassed or discriminated against an employee, then the employee has grounds for using this grievance process.

TIME LIMITS:

All time limits contained herein are mandatory except where there are bona fide, verifiable extenuating circumstances, such as, but not limited to, illness, scheduled annual leave or other authorized leave. The Supervisor shall determine the appropriateness of any timetable variances. Any such variances shall be requested in writing by the aggrieved employee prior to the expiration of the prescribed time provided in the timetable for the next step in the grievance process.

STEPS IN THE GRIEVANCE PROCESS:

PERSON RESPONSIBLE	ACTION TO BE TAKEN	TIME LIMIT
Aggrieved employee	Attempt to work out with Supervisor	Within five (5) days of incident
Aggrieved employee	Submit written grievance the appropriate Supervisor	Within ten (10) days of incident
Aggrieved employee and his/her Supervisor	Conference to discuss grievance in an attempt to work out solution	Within five (5) days of receiving written grievance
Employee of the Department	Deliver grievance to Mayor	Within five (5) days of receiving Supervisor decision
Mayor	Review grievance and previous decisions and memorandum documenting grievance and efforts to resolve the problem. The Mayor may, at his/her discretion, meet individually or in a group with the various employees involved with the grievance. The Mayor's decision is final	Within ten (10) days of receiving the written grievance

SEPARATIONS

RESIGNATION:

An employee who intends to resign must notify his/her supervisor in writing at least ten (10) working days prior to the last day of work. The supervisor is responsible for immediately notifying the City Secretary and the Mayor. All vacation time accrued during for the current and prior year(s) will be paid.

An employee who resigns without sufficient notice is subject to having a written reprimand placed in his/her file documenting this violation of personnel policies and will not be paid any vacation time accumulated in the current year, unless there is a valid reason approved by the Mayor for not giving sufficient notice.

RETIREMENT:

The same notice requirements for resignation apply in the case of retirement except that a longer period of advance notice may be required to start retirement payments properly.

REDUCTION IN WORK FORCE:

An employee may be separated when his/her position is abolished. Or when there is a lack of funds or lack of work. When reduction in force is necessary, decisions on individual separations will be made after considering the following:

1. The relative necessity of each position in the organization
2. The performance record of each employee
3. Qualifications of the employee for remaining positions

When a regular or temporary employee who has completed the probationary period is dismissed because of a reduction in force, he/she will be given a minimum of two (2) weeks written notice and paid in full to the time of discharge including accrued benefits.

DISMISSAL:

In addition to dismissal for just cause, a probationary employee may be dismissed at will, with or without cause, at any time during the probationary period. Ordinarily, dismissal during probation occurs when, in the judgment of the supervisor and the Mayor, the quality and performance of the employee's work does not merit continuation on the City staff.

Temporary or seasonal employees are employed at will and may be dismissed with or without cause at any time during their employment.

An employee who has completed his/her initial probationary period may be dismissed for just cause by the Mayor. In some departments and under some circumstances, the Mayor may

delegate dismissal authority to the department head, but the Mayor's signature is required on all personnel action forms.

Prior to dismissal for just cause, a regular full-time employee who has satisfied the probationary period will be given an oral or written notice of the just cause and the employee's evidence and will be granted an opportunity to present to the Mayor reasons why the dismissal should not occur. Reasons can be presented to the Mayor orally or in writing at the employee's option

DISABILITY:

An employee will be separated when an appointed physician determines that, for physical or mental reasons, the employee cannot perform the duties of the job. The Mayor will appoint a physician who will examine the employee and make his/her recommendation(s) to the City. The examination be paid for by the City.