



**SPECIAL MEETING OF THE GOVERNING BODY OF  
RICE, TEXAS**

**Tuesday, August 17, 2021**

**7:00 PM**

**Rice City Hall**

**305 N. Dallas Street**

**Rice, TX 75155**

**AGENDA**

1. Roll Call
2. Pledge of Allegiance
3. Prayer
4. Public Forum
5. Public Hearing
6. Discuss and deliberate to declare unit 102 & unit 103 as surplus & to sell unit 102 to the City of Scurry for 5,000.00.
7. Discuss and deliberate to approve the updated Employee Handbook
8. Adjourn



Item Title: Discuss and deliberate to declare unit 102 & unit 103 as surplus & to sell unit 102 to the City of Scurry for 5,000.00.

Summary:

Background:



Item Title: Discuss and deliberate to approve the updated Employee Handbook

Summary:

Background:

**ATTACHMENTS:**

Description

Employee Handbook

Type

Backup Material



# **City of Rice**

# **Employee Handbook**

*Revised August 2021*

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# City of Rice

## Mission Statement

The City of Rice will maximize the opportunities for social and economic development while retaining an attractive, sustainable and secure environment for the enjoyment of the residents and visitors. Through unified, responsible, and professional leadership in partnership with others; the Municipality will strive to improve the quality of life for all.

## **CHAPTER 1**

### **INTRODUCTION**

#### **SECTION 1: OBJECTIVES**

These rules are designed to bring the city service a high degree of understanding, cooperation, efficiency, and unity through systematic, uniform application of modern personnel policies. Objectives of the city personnel management system, which includes these rules, are:

- a. To promote and increase efficiency, responsiveness to the public, and economy in the city service.
- b. To provide fair and equal opportunity for qualified persons to enter and progress in the city service in a manner based on merit and fitness as ascertained through fair and practical personnel management methods.
- c. To maintain recruitment, advancement, and tenure practices enhancing the attractiveness of a city career and encouraging each employee to give his or her best effort to the city and public.
- d. To maintain consistent, up-to-date, position classification and compensation plans based on the relative duties and responsibilities of jobs in the city service; and
- e. To promote high moral among city employees by fostering good working relationships and by providing for uniform personnel policies, opportunities for advancement, and consideration of employee needs and desires.

#### **SECTION 2: EQUAL OPPORTUNITY POLICY**

Discrimination against any person in recruitment, examination, appointment, training, promotion, discipline, or any other aspect of personnel administration because of political or religious opinions or affiliations, membership in employee organizations, or because of race, color, national origin, marital status, or other non-merit factors is prohibited. There will be no discrimination against handicapped individuals in accordance with section 504 of the Rehabilitation Act OF 1973. Under section 504 of the Rehabilitation Act, employers are required to

provide reasonable accommodation to qualified handicapped individuals, however reasonable accommodation does not require any undue financial burden on the city. Consideration of age, sex, or physical disability is prohibited except where specific age, sex, or physical requirements constitute a bona fide occupational qualification necessary to proper and efficient administration. Affirmative action shall be taken to insure equal employment opportunity in the city service.

### **SECTION 3: APPLICABILITY AND SCOPE**

These rules apply to all city employees unless specified otherwise by state law or official City Council action. A person on retainer or under contract is not considered a city employee in the absence of specific agreement to that effect. These rules are not applicable to volunteer fire fighters or reserve police officers.

### **SECTION 4: DISSEMINATION**

All city employees shall be informed of the existence of these rules and each department shall keep a copy available for reference by its employees.

### **SECTION 5: AMENDMENT**

These rules may be changed, supplemented, or superseded at any time as provided by the city council. Any change will be in writing and employees will be notified.

### **SECTION 6: ADMINISTRATIVE AUTHORITY**

With the exception of matters reserved to the city council, the general and final authority for personnel management rests with the city administrator who shall develop, administer, and interpret personnel policies and procedures as they apply to all departments and employees. This authority may be delegated as

necessary and proper. When authority assigned in these policies delegated, such delegation shall be in writing.

Each department head is responsible within the scope of his or her authority for enforcing the provisions of these rules and related policies and procedures concerning matters involving his or her department. Department heads may prepare and enforce supplemental personnel policies not inconsistent with these policies for the administration of personnel matters within their department, subject to the written approval of the city administrator.

## **Chapter 2**

### **METHOD OF FILLING VACANCIES**

#### **SECTION 1: VACANCY IDENTIFICATION**

Department heads shall notify the city administrator immediately when job vacancies occur or are imminent.

#### **SECTION 2: ANNOUNCEMENT OF VACANCIES**

The city administrator shall publicly announce by appropriate means, including posting at city hall, all vacancies to be filled in the city service by other than administrative transfer, temporary promotion, or reinstatement and shall maintain a list of announced vacancies for public inspection. Each announcement insofar as practicable, shall specify the title, salary and nature of the job; the required qualifications; whether competition is open to the general public or restricted to the city employees; the type of selection procedure to be utilized; and the deadline for and method of application. Each announcement shall contain a statement affirming city commitment to a policy of equal employment opportunity. An adequate period of time shall be allowed in the selection process to insure fair and open competition for the vacant position.

#### **SECTION 3: PROMOTION POLICY**

A promotion is the assignment of an employee from a position in one class to a position in another class having a higher maximum salary. It shall be city policy to provide promotional opportunities whenever possible. A selection process may be limited to qualified city employees or city employees may be given preference in application and/or consideration. Opportunities for promotion across organizational lines shall be maximized, with approval from the city administrator being necessary prior to such promotion.

#### **SECTION 4: TEMPORARY PROMOTION**

The department head may authorize a temporary promotion to ensure the proper performance of city functions if a position is vacant or its regular incumbent is absent. Employees so promoted may be additionally compensated for the duration of their temporary assignments in amounts to be determined by the city administrator. Temporary promotions shall not be used to circumvent normal selection procedures. The employees involved shall not acquire any status or rights in the classes in which temporarily promoted. Nothing herein shall be construed to prevent the assignment of higher-level duties to an employee without additional compensation. Authorized additional compensation shall be paid only in cases of formal temporary promotion effected in accordance with these rules.

#### **SECTION 5: TRANSFERS**

A transfer is a reassignment of an employee from one position to another. A transfer not involving promotion or demotion may be affected at any time for administrative convenience or upon request of the employee to the department head, or if interdepartmental, to the city administrator; provided that the employee is qualified to perform the duties of the position to which transfer is contemplated. Transfers may be made administratively or in conjunction with an announced selection process. Transfers between classes or between departments shall become effective following approval of the city administrator.

#### **SECTION 6: NON-DISCIPLINARY DEMOTIONS**

A demotion is the assignment of an employee from a position in one class to a position in another class having lower maximum salary. With the approval of the department head and if qualified to perform the duties of the lower-level position; and employee may be administratively demoted at his or her own request or as an alternate to layoff. Such demotions shall not be considered disciplinary actions or disqualify the employees involved from consideration for later advancement. Demotions effected as alternatives to layoffs may be fully or partially rescinded at any time.

## **SECTION 7: APPLICATIONS**

Applications for initial employment, promotion or other type of transfer, and reinstatement shall be submitted as prescribed by the city administrator. Only applications officially received in the prescribed manner shall be considered. All information submitted in connection with applying for city positions is subject to verification.

## **SECTION 8 EVALUATION**

The city administrator shall determine the most appropriate means of evaluating applicants against job requirements to identify the best qualified. Reference checks, interviews, medical examinations, background checks, performance tests, written tests, and/or other screening procedures may be used as appropriate. Applicants shall be required to provide any information and undergo any examinations necessary to demonstrate compliance with prescribed qualification requirements for the positions involved.

## **SECTION 9: DISQUALIFICATION**

An applicant shall be disqualified from consideration if he or she:

- a. Does not meet the qualifications necessary for performance of the duties of the position involved;
- b. Had made a false statement of material fact on the application form or supplements thereto;
- c. Has committed or attempted to commit a fraudulent act at any state of the selection process;
- d. Is an alien not legally permitted to work; or
- e. Refuses to consent to substance screening or testing positive as a component of the Workplace Drug and Alcohol Abuse policy.

An applicant may be disqualified from consideration upon other reasonable ground relating to job requirements.

#### **SECTION 10: REFERRAL AND SELECTION**

The referral of applicants to department heads for selection shall be in accordance with procedures developed by the city administrator. The procedures shall provide for selecting officials to report the disposition of all referred applicants and the reasons, therefore.

## **Chapter 3**

### **APPOINTMENT**

#### **SECTION 1: AUTHORITY**

Except as otherwise provided by state laws or city ordinance; the appointing authority for all city positions shall be the department head, subject to approval of the city council.

#### **SECTION 2: BASIS OF APPOINTMENTS**

Appointments shall be made based on the qualifications of applicants as ascertained through fair and practical selection method approved by the city administrator.

#### **SECTION 3: TYPES OF APPOINTMENTS**

Appointments shall be designated either permanent or temporary worker. A permanent appointment is ordinarily of indefinite duration and may be made to a full time or part time position. A permanent full-time position is one where an employee works a minimum of forty (40) hours in a regular workweek schedule. A permanent part time position is one where an employee works less than forty (40) hours in a workweek schedule. Permanent appointments are subject to the rules governing probation.

Temporary appointments are ordinarily limited to one (1) year or less and may be made to full time or part time positions requiring continuous, seasonal, or intermittent performance.

#### **SECTION 4: EMERGENCY TEMPORARY APPOINTMENTS**

Whenever an emergency exists that requires the services of personnel who are not otherwise available, the mayor may immediately appoint such personnel for a

period not to exceed (30) thirty working days without regard for normal recruitment and selection requirements. Emergency temporary appointments shall not be used to circumvent normal appointment procedures. The employees involved shall not acquire any status or rights in the position to which temporarily appointed.

## **SECTION 5: NEPOTISM**

No person related within second degree of affinity or within the 3<sup>rd</sup> degree of consanguinity to the mayor or any member of the city council shall be appointed to any office, position, or other service of the city, but this prohibition shall not apply to officers or employees who have been employed by the city continuously for more than (2) years prior to the election of such member of the council or mayor. In addition, the department head shall not approve the appointment to any supervisor's work group, any person who is related within the 2<sup>nd</sup> degree by affinity or consanguinity to that supervisor. (See Appendix 1: Nepotism Chart.)

## **SECTION 6: RESIDENCE**

There shall be no absolute residence requirements for city employment except as may be provided by the law. Employees likely to be called to work in cases of emergency may be required to reside within reasonable commuting ranges of their workplace. Employees allowed to operate city vehicles between their place of residence and work, may be required to reside within the city or within reasonable commuting ranges.

## **SECTION 7: MEDICAL EXAMINATIONS**

A person selected for initial appointment or reinstatement may be required to undergo a medical examination at city expense in a manner prescribed by the city administrator. When a prospective employee is required to undergo a medical examination, his or her employment shall be contingent upon successful completion of the medical examination in relation to standards of fitness required for the position involved. The city administrator, acting upon information

provided by medical personnel, shall be the final authority in determining medical suitability for employment.

With the approval of the city administrator, a department head may require that a current employee successfully undergo a medical examination at city expense, to determine fitness for continued employment or for promotion other personnel action.

#### **SECTION 8: EMPLOYEE ORIENTATION**

Upon completion of the selection process, all applicants selected for appointment shall be provided with a thorough orientation concerning working for the city, the nature of the job, benefits, and obligations and responsibilities of the position. The department head will be responsible for such employee orientations.

## **CHAPTER 4**

### **PROBATION**

#### **SECTION 1: PROBATIONARY PERIOD**

Every person initially appointed to or promoted in the city service under a regular appointment shall be required to successfully complete a probationary period of one (1) year. Appointment of sworn police officers shall successfully complete a probationary period of one (1) year.

#### **SECTION 2: PURPOSE OF PROBATIONARY PERIOD**

The city administrator and/or department heads shall use the probationary period to closely observe and evaluate the work and fitness of employees and to encourage adjustment to their jobs and city service. Only those employees who meet acceptable standards during their probationary period shall be retained.

#### **SECTION 3: FAILURE OF PROBATION**

An employee shall fail probation when, in the judgement of the city administrator and department head. The employee's fitness and and/or quality of work are not as such as to merit continuation in the job. Failure of probation may occur at any time within the probationary period and shall not be considered part of the disciplinary process.

An initial appointee who fails probation may be separated from the city service. If desirable and feasible, the employee may be administratively transferred to a more suitable position. A newly promoted employee who fails probation may be returned to his or her former type of job if a vacancy exists and shall be eligible for consideration for later advancement. The city administrators and/or department head shall ensure the thorough documentation of all cases of failure of probation.

#### **SECTION 4: APPEAL OF FAILURE OF PROBATION**

An employee failing probation shall have no right of appeal except on the grounds of discrimination prohibited by law if these rules, in which case the employee may appeal in writing to the city council within (5) five working days following notice of failure of probation. The decision of the city council shall be final.

## **CHAPTER 5**

### **PERFORMANCE EVALUATION**

#### **SECTION 1: PERFORMANCE EVALUATION REPORT**

The work performance of each regular employee shall be evaluated in accordance with procedures developed by the city administrator. An employee shall be evaluated annually during the annual departmental review and upon change of supervisor unless an evaluation was made within the previous (3) months. Special evaluations may be made if requested by the city administrator and approved by the department head. Probationary employees shall be evaluated prior to the completion of their probation period. Performance evaluation reports shall be on forms provided by the city administrator.

#### **SECTION 2: PURPOSE OF PERFORMANCE EVALUATION**

Performance evaluation is designed to help supervisors and employees measure how well work is being performed and to provide a tool for management decisions regarding training, assignment, promotion, and retention of employees.

Recognition will be given for exemplary behavior regarding driving record, accident-free record, and service years.

#### **SECTION 3: COUNSELING**

Employees shall be provided copies of their own performance evaluation reports. Evaluators shall individually discuss the reports with the employees and shall counsel them regarding their careers and any improvements in performance, which appear desirable or necessary.

#### **SECTION 4: RECONSIDERATION**

Employees dissatisfied with their performance evaluations may seek reconsideration by using established grievance procedures.

## **CHAPTER 6**

### **CLASSIFICATION**

#### **SECTION 1: PLAN PREPARATION AND MAINTENANCE**

The city administrator shall be responsible for the preparation and administration of a written classification plan for the city service based on analysis of the duties and responsibilities of positions. Positions shall be allocated by appropriate classes based objective factors. The city administrator shall continually review the duties and responsibilities of city positions and make any necessary adjustments to the classification plan. An employee may request that his or her position be reviewed for proper classification by using established grievance procedures.

#### **SECTION 2: EFFECT OF REALLOCATION**

An employee in a position which is reallocated from one class to another shall be entitled to continue to serve therein with impaired status if the duties and responsibilities of the position are not significantly changed or if the employee substantially meets the qualifications prescribed for the new class.

#### **SECTION 3: OFFICIAL JOB TITLES**

Official job titles shall be used in all personal matters. Working or functional titles may be otherwise used as appropriate

## **CHAPTER 7**

### **COMPENSATION**

#### **SECTION 1: BASIS**

The city council shall set all salaries and wages of all city employees over the minimum salary level, based on the classification plan presented by the city administrator. The city council will, at least annually, review the salaries and wages, of all city employees and make all necessary adjustments as they see fit. In determining salaries and wages, consideration shall be given to prevailing rates of pay among public and private employer; the duties, responsibilities, and qualifications required for the position; and other relevant factors.

#### **SECTION 2: OVERTIME**

Overtime, when ordered for maintenance of essential city functions, shall be allocated as evenly as possible among all employees qualified to do the work. Employees will be compensated for all scheduled and approved overtime work by being given off time, which is called compensatory time.

Compensatory time for public safety and civilian non-exempt personnel will be accrued at the rate of one- and one-half hours for each hour of overtime worked. Public safety employees may accrue a maximum of 480 hours and non-exempt civilian employees 240 hours. An exempt supervisor or officer who works overtime one hour or more during a scheduled or non-scheduled workday shall accrue compensatory time at the rate of one hour leave for each hour of overtime worked.

Only compensatory time that is reflected on the employee's time record shall be allowed. All overtime work must be approved by the city administrator. All compensatory time must be taken within the city's fiscal year.

In the event a department head cannot schedule compensatory time off because of scheduling conflicts or need for employees to report for duty, the city

administrator can approve payment of the accrued time at the rate of one and one-half hours for each hour of overtime worked.

### **SECTION 3: EMERGENCY DUTY**

Employees called back to work in emergencies shall be compensated for actual time worked or (1) one hour, whichever is greater, in accordance with the previous section.

### **SECTION 4: WEEKEND STANDBY DUTY**

All employees assigned to weekend standby duty shall receive compensation pay for the number of hours actually worked. All standby duty assignments will be assigned as evenly as possible among all qualified employees.

### **SECTION 5: EMPLOYEE PAY SCHEDULE**

All city employees will be paid on a bi-weekly basis.

## **CHAPTER 8**

### **ABSENCE**

#### **SECTION 1: HOLIDAYS**

New Year's Day, Martin Luther King Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving Day, Christmas Eve, Christmas Day, New Year's Eve, and such other days as may be declared by the city council shall be observed as official holidays for city employees in accordance with the following rules:

- a. As many employees as possible shall be given each holiday off, consistent with the maintenance of city essential functions. All employees who are required to work on an official holiday shall be given comp time at time and a half.
- b. Department heads shall ensure that employees working unusual schedules or on shifts receive benefits of the full number of official paid holidays.
- c. When a regularly scheduled holiday occurs during the period of an employee's vacation, an additional day of leave shall be granted.
- d. If the holiday falls on Saturday, the preceding Friday shall be observed, and if a holiday falls on a Sunday, the following Monday shall be observed.
- e. An employee on leave of absence without pay status on the holiday or on the scheduled workday immediately preceding or following shall not receive pay for the holiday.
- f. Employees desiring to observe religious holidays not coinciding with official holidays may be given time off without pay or may be authorized to use accrued vacation leave.
- g. Full time employees with more than one (1) year in full-time pay status shall receive paid time off for all the above-mentioned holidays. Full time employees with less than (1) one year of full time pay status shall receive paid time off for New Year's Day, Martin Luther King Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving Day, Christmas Eve, Christmas Day, New Year's Eve, and such other

days as may be declared by the city council. Employees with less than full time pay status will receive paid time off for New Year's Day, Thanksgiving Day, and Christmas Day.

## **SECTION 2: VACATION**

Upon completion of (1) one continuous year of service, all full- time permanent employees are eligible for vacation leave. Vacation leave shall accrue per pay period.

1-2 years of service = 40 hours of vacation (1.54 hr per pay period)

3-6 years of service = 80 hours of vacation (3.08 hr per pay period)

7-9 years of service = 120 hours of vacation (4.61 hr per pay period)

10+ years of service = 160 hours of vacation (6.15 hr per pay period)

Vacation leave shall accrue per pay period until the maximum accumulation equal to 1.5 times your current accrual rate with exceptions as granted by the city administrator. Upon arrival at maximum accumulation, per pay period accrual will cease until the balance is brought down below the maximum.

Absent on account of sickness, injury, or disability in excess of that hereinafter authorized for such purposes may, at the request of the employee and within the discretion of the department head, be charged against vacation leave allowance and use. The department head shall schedule vacation leaves with particular regard to operating requirements and, insofar as possible, with the requests of the employees.

When a regularly scheduled holiday occurs during the period of any employee's vacation, an additional day of leave shall be granted.

Vacation leave shall be administered according to the following rules:

a. Vacation leave shall not accrue for any pay period during which an employee is in pay status for less than half the standard number of paid days for his or her type of job.

- b. Department heads shall schedule or approve vacations given due consideration to the needs of the service and interests of the employees' subject to approval of the department head.
- c. Vacation leave shall be charged only for time during which the employee would ordinarily have worked.
- d. Employees being laterally transferred, promoted, or demoted shall retain earned vacation leave.
- e. Vacation leave shall not be advanced to employees except in emergencies with the approval of city council.
- f. Employees in good standing, who separate from employment the city, with at least one year of continuous service, shall be paid for earned vacation leave.
- g. Vacation leave credits are not transferable between employees.

### **SECTION 3: PERSONAL LEAVE**

Employees shall receive one (1) day per fiscal year for personal leave to conduct personal business during regular business hours. Personal leave shall not be carried over to subsequent periods.

### **SECTION 4: SICK LEAVE**

All employees, except temporary workers, and part time employees, are entitled to receive paid sick leave credits. Employees eligible for sick leave credit will accrue 1.85 hours of sick leave per pay period with a maximum accumulation of 480 hours, to be used in case of personal illness, physical incapacity, or when he or she is required to attend his or her spouse or minor children who are ill or incapacitated and who reside in the same household as the employee.

- a. In no case shall sick leave be paid for an employee during his or her probationary period.

- b. Employees may accrue sick leave up to 480 hours. When the accumulated sick leave balance reaches the maximum accumulation, the accrual ceases until sick leave is taken.
- c. Sick leave may be used in intervals of one (1) one hour. Official holidays and regular days off shall not count against sick leave.
- d. After an employee's sick leave has been exhausted, the accrued vacation may be used as sick leave. When absence due to illness exceeds the amount of paid leave earned and authorized, the pay of an employee shall be discontinued until he or she returns to work. In the event of catastrophic illness or injury, employees may be eligible for Sick Leave Pool time if the employee has been absent from work for one month (20 continuous workdays). See Appendix 11.
- e. To receive paid sick leave, an employee shall communicate with his/her immediate supervisor, or authorized representative, before or within (1) hour after the time set for beginning work.
- f. The city administrator and/or department head may require satisfactory proof of illness or of the need for attending a family member at any time when an employee is absent and on sick leave. However, when an employee is on sick leave in excess of (2) two consecutive working days, the employee will be required to furnish satisfactory proof of illness or the need for attending a family member. Sick leave shall be disallowed in the absence of such satisfactory proof. Employees who willfully use sick leave for purposes other than those that are intended in these policies may be dismissed from city employment.
- g. Employees who become ill during the period of their vacation may request that their vacation be temporarily terminated, and their time charged to sick leave. A physician's statement will normally be required in such instances.
- h. An employee who is pregnant may use accrued sick leave for maternity purposes prior to delivery and for a reasonable time following delivery as may be determined as necessary by her physician due to temporary disability.
- i. An employee terminating from city service must submit a certification of illness from a physician before being eligible to use sick leave in the last (2) two calendar weeks of employment.

Unused sick leave credit will not be compensated for in any way at the time of termination, whether by resignation or dismissal. Upon retirement eligibility and at separation, an employee will be paid for unused sick leave up to 480 hours.

#### **SECTION 5: JURY SERVICE**

Employees who are required by due process of law to render Jury Service shall receive full pay during such period and the time spent in such service shall be reported as Jury Service.

#### **SECTION 6: INJURY LEAVE**

An employee injured as a result of duties performed in the course of his or her job shall be eligible to receive workers' compensation benefits and leave in accordance with the terms of the policy. All injuries shall be reported to the city administrator within (24) twenty-four hours of injury.

#### **SECTION 7: BEREAVEMENT LEAVE**

All permanent full-time employees will be granted bereavement leave, with pay, of (3) three working days, in case of death in their immediate family. Temporary part time employees may be granted bereavement leave with pay only if approved by the city administrator. This leave will not be charged against sick leave or vacation time. (Immediate family, for this purpose, shall be defined as spouse, son, daughter, father, mother, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, and employee's and spouse's grandparents.

#### **SECTION 8: MILITARY LEAVE**

Military Leave shall be granted in accordance with applicable state and federal laws. Employees preparing to take authorized military leave shall furnish the city administrator with copies of military orders or other appropriate certification.

## **SECTION 9: ADMINISTRATIVE ABSENCE WITH PAY**

Employees shall be granted sufficient administrative absence with pay, when necessary, in order to vote in an official election or when called for Jury Service. Employees excused or released from Jury Service shall report to their workstations in accordance with departmental instructions.

The department head may grant an employee administrative absence with pay for purposes of attending a professional conference, convention, training activity, legislative proceeding, or civic function or meeting, or for purposes or coordinating with governmental and private agencies and entities in the interest of the city.

## **SECTION 10: AUTHORIZED LEAVE WITHOUT PAY**

In circumstances not falling within other provisions of these rules, the city council may authorize an employee to take leave without pay under such terms and conditions as may be mutually agreeable. The city council may revoke such authorization at any time. Employees taking leave without pay shall not lose or gain seniority. Leave without pay shall not ordinarily be authorized for periods in excess of (30) calendar days. All employee benefits will remain in effect during periods of authorized leave without pay.

## **SECTION 11: CHILD CARE LEAVE**

In accordance with the Family Medical Leave Act.

## **SECTION 12: ABSENCE WITHOUT LEAVE**

An employee failing to report for duty or remain at work as scheduled without proper notification, authorization, or excuse for two consecutive days shall be considered as absent without leave which constitutes abandonment of duties. Absence without leave shall be considered an employee's resignation from the city. In such cases, the employee's separation shall not be considered to be in "good standing".

## **CHAPTER 9**

### **CONDUCT**

#### **SECTION 1: ATTENDANCE**

Employees shall be at their place of work in accordance with the city and departmental policies and regulations. Departmental heads shall establish work schedules and maintain daily employee attendance records. The city administrator shall maintain annual employee attendance records.

#### **SECTION 2: WORK STANDARDS**

It shall be the duty of each employee to maintain high standards of cooperation, efficiency, and economy in his or her work for the city. Department heads shall organize and direct the work for the departments to achieve these objectives. If work habits, attitude, production, and/or personal conduct of an employee falls below appropriate standards, supervisors should point out the deficiencies at the time they are observed. Counseling and warning the employee in sufficient time for improvement should ordinarily precede formal disciplinary action, but nothing herein shall prevent immediate formal action as provided elsewhere in these rules whenever the interest of the city requires.

#### **SECTION 3: POLITICAL ACTIVITY**

Except as may be otherwise provided by law, the following restrictions on political activity shall apply to the city employees:

- a. Employees shall refrain from publicly using their positions for or against any candidate for public office in any jurisdiction.
- b. No person who holds a compensated appointive office, or who is employed by the city, shall make, solicit, or receive any contribution to the campaign funds of any candidate for the city council, or take part in the management, affairs, or political campaign of such candidate; provided nothing herein shall infringe the

constitutional rights of such officer or employee to express his or her opinions and to cast his or her vote.

c. Employees shall not use working hours or city property to be in any way concerned with soliciting or receiving any subscription, contribution, or political service or to circulate petitions or campaign literature on behalf of candidates for public office in any jurisdiction.

d. Employees shall not in any manner contribute money, labor, time, or other valuable things to any person for city election purposes.

e. No employee may hold an appointive or elective city office of public trust, partisan office in any jurisdiction or any other office where service would constitute a direct conflict of interest with city employment, with or without remuneration. Upon announcement of intention to assume such office, an employee shall resign or shall be dismissed for cause upon failure to do so.

#### **SECTION 4: SOLICITATION**

Solicitation of funds or anything of value for any purpose whatsoever shall be permitted of or by city employees on the job only with the express approval of the city administrator. No employee may be required to contribute or may be penalized or rewarded in any way in connection with his or her employment according to the response to the solicitation.

#### **SECTION 5: OUTSIDE EMPLOYMENT**

An employee shall not engage in outside employment, including self-employment where such employment would constitute a conflict of interest or would adversely affect the employee's performance in the city service. All outside employment must be reported to and approved by the city council.

#### **SECTION 6: PHYSICAL FITNESS**

It shall be the responsibility of each employee to maintain the standards of physical fitness required for performing his or her job.

## **SECTION 7: PERSONAL APPEARANCE**

All employees, regardless of work location and degree of public contact, are expected to always maintain a good personal appearance and an acceptable standard of cleanliness.

## **SECTION 8: FINANCIAL OBLIGATIONS**

All employees are expected to keep their personal financial affairs in good order. Failure to pay just debts, including taxes, may constitute grounds for disciplinary action if job performance is impeded.

## **SECTION 9: CONFLICT OF INTEREST**

No officer or employee of the city shall accept, directly or indirectly, any gift, favor, privilege, or employment for personal gain from any person, firm, or corporation, doing business with or seeking to do business with the city during the term office of such officer or during the employment of such employee of the city and in connection with such office or employment. No officer or employee of the city who is employed, directly or indirectly, by any person, firm, or corporation doing business with, or seeking to do business with the city shall in any manner participate in any discussion or decision of any agency, board, commission, or instrumentally of the city having to do with the business done or sought to be done with the city by such person, firm, or corporation without first declaring publicly such employment.

## **SECTION 10: WORKPLACE DRUG AND ALCOHOL ABUSE.**

### **IMPAIRMENT PROHIBITED**

No employee will report for work or will work impaired by any substance, drug, or alcohol, lawful or unlawful, except with supervisory knowledge and approval; such approval limited to lawful medications and based strictly on an assessment on the employees' ability to perform assigned duties safely and efficiently. "Impaired" means under the influence of a substance such that the employees'

motor senses (sight, hearing, balance, reaction, and reflex) and judgement either are or may be reasonably presumed to be affected.

#### **POSSESSION PROHIBITED**

No employee at work site will possess any quantity of any substance, drug, or alcohol, which could result in impaired performance, except for authorized prescriptions. "Worksite" means any office, building, or property (including parking lots) or other site at which an employee is to perform work for the city. "Possess" means to have either in or on an employee's person, personal effects, motor vehicles and areas substantially entrusted to the control of the employee such as desks, files, and lockers. Authorized substances include only (1) one lawful over the counter drugs (excluding alcohol) in reasonable amounts; and (2) two other lawful prescription drugs, the possession of which has been advised and approved in advance.

#### **SUBSTANCE SCREENING**

For purposes of assuring compliance with the policy, both employees and applicants may be subject to substance screening under the following circumstances:

Applicants: An applicant for a safety critical position will be subject to substance screenings as part of a pre-employment physical. Safety critical positions are jobs that require a high degree of care and caution in performance. The following classifications may be subject to testing:

1. Public Safety employees.
2. Employees who routinely drive city vehicles or personal vehicles on city business.
3. Employees who operate motorized equipment or who work in close proximity to or with moving machinery.
4. Mechanical and maintenance employees who use tools and/or machinery on the job.
5. Employees on jobs where agility, mobility and sound judgement are imperative for safety in their jobs.

Employees: When there is reasonable evidence to suspect any employee has reported to work or is working impaired, he or she may be subject to substance screening. Supervisors are responsible for recognizing and reporting reasonable suspicion to the department head or acting designee immediately. On review of the reasonable evidence to the department head or supervisor, the employee may be prohibited from working or continuing to work and required to sign a form consenting to testing. Failure of refusal to sign the consent form will be cause for disciplinary action that could include discharge. The department head or supervisor will arrange transportation to a designated medical facility or testing center and ensure safe transportation to the employees' residence or care of a relative or friend after testing.

#### ADMINISTRATION

If the employee voluntarily seeks treatment prior to discovery, the leave will be governed by existing sick leave policy and will be handled confidentially, as in any other kind of illness.

The results of any testing will be considered a medical report disseminated only in strict compliance with existing private and confidentiality policies.

## **CHAPTER 10**

### **DISCIPLINE, APPEALS, AND GRIEVANCES**

#### **SECTION 1: POLICY**

The city expects its employees to accept reasonable and appropriate work assignments willingly and to perform them in a satisfactory manner. Employees are also expected to comply with all rules, regulations, and policies pertaining to job performance standards and personal conduct on the job. If an employee fails to perform satisfactorily or if his /her personal conduct is unacceptable, disciplinary action may be taken.

The city will attempt to review and resolve all employee problems as promptly and equitably as possible and at the lowest possible organization/supervisory level. All employees will be provided with a fair, expedient, objective, and consistent means of resolving work related problems.

#### **SECTION 2: GROUNDS FOR DISCIPLINARY ACTION**

The department head or designee thereof may take disciplinary action against an employee. The employee may be disciplined if disciplinary action is deemed appropriate by the employee's immediate supervisor or other city personnel having responsibility for such employee's area of work. Nothing in this manual shall be considered to infringe on such a right, if any, existing in any employee prior to the adoption of this manual. No employee shall have a contractual right in continued employment except by specific written contract. It is not the policy of the city to discharge an employee arbitrarily or capriciously. Guidelines for discipline shall include but shall not be limited to the following:

- a. Illegal, unethical, abusive, or unsafe acts.
- b. Violation of rules, regulations, policies, or procedures.
- c. Insubordination.
- d. Inefficiency.

- e. Incompetence.
- f. Neglect of duties.
- g. Failure to report injuries to immediate supervisor.
- h. Participation in prohibited political activities.
- i. Unauthorized soliciting while on duty.
- j. Tardiness.
- k. Failure to conduct himself/herself in a courteous and proper manner while on duty.
- l. Falsification of official documents or records.
- m. Use of being under the influence of drugs or alcoholic beverages not prescribed by a physician while on duty.
- n. Damaging city equipment, tools, machines, and/or property; and failure to report such cases.
- o. Wasting materials and supplies.
- p. Carelessness, recklessness, and/or engaging in horseplay.
- q. Immoral conduct of indecency.
- r. Abuse of illness, injury, disability, or other benefits.
- s. Threat of an abusive or violent act.
- t. Unauthorized use or disclosure of official information.
- u. Unauthorized or improper use of official authority.
- v. Alteration of any timecards, sick time, or vacation hours for any reason.

### **SECTION 3: TYPES OF DISCIPLINARY ACTION**

Formal disciplinary action taken shall be consistent with the nature of the deficiency or infraction involved and the record of the employee. Formal disciplinary action shall include written reprimand, suspension, reduction in pay,

demotion, and dismissal. Any of the foregoing types of formal disciplinary action may be invoked for a particular deficiency or infraction, depending upon the exact circumstances. An employee may be formally warned at any time that he or she may be dismissed or otherwise disciplined for further unsatisfactory performance and/or conduct. Nothing herein shall prohibit the administration of informal disciplinary action, such as oral reprimands. Informal disciplinary action may be documented in the employee's official personnel file at the discretion of the department head.

#### **SECTION 4: WRITTEN REPRIMAND**

In the interest of good discipline, an employee may be formally reprimanded in writing. The reprimand shall describe the deficiency or infraction involved and shall state the likely consequence of further unsatisfactory performance and/or conduct. A copy of the reprimand shall be kept in the employee's official personnel file.

#### **SECTION 5: SUSPENSION**

In the interest of good discipline. An employee may be suspended without pay for up to (30) thirty calendar days in (1) one calendar year. A notice of suspension must be given to the employee which describes the deficiency or infraction involved and which states the likely consequences of further unsatisfactory performance and/or conduct. The suspension shall be permanently noted in the employee's official personnel file. When an employee is under investigation for a crime or official misconduct or is awaiting hearing or trial in a criminal matter, he or she may be suspended without pay for the duration of the proceedings when such suspension would be in the best interests of the city and the public. If the investigation or proceedings clear the employee, he or she shall be eligible for reinstatement with full pay and benefits restored.

## **SECTION 6: REDUCTION IN PAY**

In the interest of good discipline, an employee's pay may be reduced within reason. A notice of reduction must be given to the employee which describes the deficiency or infraction involved and which states the likely consequences of further unsatisfactory performance and/or conduct. The reduction shall be permanently noted in the employee's official personnel file, but the employee shall not be disqualified from consideration for later pay increases.

## **SECTION 7: DEMOTION**

In the interest of good discipline, an employee may be demoted. A notice of demotion must be given to the employee which describes the deficiency or infraction involved and which states the likely consequences of further unsatisfactory performance and/or conduct. The demotion shall be permanently noted in the employee's official personnel file, but the employee shall not be disqualified from consideration for later advancement.

## **SECTION 8: DISMISSAL**

In the interest of good discipline, an employee may be dismissed from the city service. A notice of dismissal must be given to the employee that describes the deficiency or infraction involved.

## **SECTION 9: DISCIPLINARY PROCEDURES**

In case of disciplinary action involving reprimand, suspension, reduction in pay, demotion, or dismissal, the city may elect to follow procedures set out in this section.

If the procedure involves possible suspension or dismissal, an employee may be suspended with pay until a hearing can be conducted.

As promptly as practicable, the employee may be given a letter setting out the reasons for suggestion of discipline and notifying the employee of a hearing date

and time, which shall be not less than (3) days after the date the letter is posted (or furnished to the employee, if it is hand delivered). The employee may respond in writing to the charges against him/her, and additionally may respond orally to the supervisor who has proposed the disciplinary procedure. The hearing will be conducted fairly, and the employee will have the opportunity to fully dispute the charges he/she faces. To the extent practicable, the hearing will not be conducted by the official or supervisor originating the proposal of discipline but will be heard by such supervisory personnel such as the city administrator shall appoint. The person conducting the hearing shall be selected both for his/her impartiality and for his knowledge of the area of work of the employee in question.

Records of the disciplinary procedures (including any correspondence) shall be kept confidential unless the employee elects to make them public. It is not the purpose of the city to damage the reputation of an employee in any disciplinary matter, and city employees shall attempt to avoid doing so.

Employees and their supervisors are encouraged to resolve disciplinary problems informally by private conference before resorting to disciplinary procedures, but they shall not be required to do so. Both employees and their supervisors are encouraged to weigh the seriousness of a personnel dispute, and not to burden the time of others with minor problems over requests for time off, overtime, work assignments, lunch and coffee breaks and the like.

Should a hearing take place, it shall be conducted in private to the extent practicable, unless the employee requests it to be public. The hearing shall be confined to the consideration of the reasons for proposed discipline which were set out in the notice letter. Should the reasons not have previously been given, the employee may request that reasons for the disciplinary proposal be given and reduced to writing, and the hearing recessed for (1) one day or longer in order to allow the employee to consider the reasons given. At a hearing, the supervisor proposing the disciplinary proceedings may respond to questions from the employee but should keep such responses brief and objective.

The employee will be advised of the reasons for the proposed discipline in sufficient detail to allow him to offer evidence of any error that he believes may have occurred. He/she will be furnished, where possible, with the names of individuals who may testify against him/her and the nature of their testimony.

He/she may call witnesses and present evidence in his/her own behalf. He/she may examine the witness and may challenge evidence presented against him/her. Formal rules of evidence need not be followed.

The party conducting the hearing shall rule thereon as soon after the conclusion of the hearing as possible. If discipline is proposed, the hearing examiner shall confirm in writing the reasons, which reasons will be confined to those previously set out in writing. The ruling shall be kept confidential unless the employee requests it be made public. Nothing in this manual shall abridge any right of public access under the state statutes providing for open meetings and access to public records. To the extent possible, for the protection of all concerned, rulings will be reduced to writing.

It is recognized that public officials act properly when they respond to public inquiry. In that event, or in the event an employee believes the disciplinary procedure may have damaged his professional reputation, as well as the employee's good name, reputation, honor, and integrity, whether in terms of integrity or ability or otherwise, the employee may by letter request a subsequent hearing in order to present evidence to refute any aspect of the information he believes has been harmful to him. He/she may request that the hearing be public. The request should be made as promptly as possible after disciplinary action has occurred, and the hearing will then promptly be scheduled. The department head may conduct this hearing or may appoint another supervisory employee to hear it.

## **SECTION 10: APPEALS OF DISCIPLINARY ACTION**

Appeal of disciplinary action taken under this chapter may be appealed in writing to the city council within (15) fifteen calendar days following actual action or notice thereof. Upon receipt of the written intent to appeal a disciplinary action, the city administrator shall place the appeal on the agenda of the next regular city council meeting. The city council, after careful investigation of the facts, shall have broad authority to approve, disapprove, modify, or rescind any disciplinary actions taken or proposed. The decision of the city council shall be final. All

provisions set out in Section 9 above shall to the extent possible be followed on appeals as well.

### **SECTION 11: Probationary Employees**

Unless furnished by their supervisors with a written letter to the contrary, all new employees shall be on probation for one (1) year. They may be discharged or disciplined during the probationary period for any reason, and no reason need be assigned by the city, nor will the city be obligated to implement any notice or hearing procedure in regard thereto. It is not the policy of the city to discharge a probationary employee for submitting a grievance or criticism of the city government.

### **SECTION 12: GRIEVANCE PROCEDURES**

Employees shall be encouraged to informally take any job-related complaints or problems to their immediate supervisors. Following informal discussions, an employee remaining dissatisfied with a working condition or some other aspect of employment not subject to appeal of disciplinary action procedures may submit a written grievance to his or her departmental head within (15) fifteen calendar days after the cause of the grievance arises or becomes known to the employee.

It shall be the responsibility of the department head to study the grievance and attempt to resolve it within (10) ten calendar days. Further discussions with the grievant shall be encouraged. If the grievance cannot satisfactorily be resolved within (10) ten calendar days, the department head shall refer it with comments and/or recommendations to the city administrator, if necessary. If the city administrator cannot resolve the grievance, employees may request that the grievance be submitted to the city council for resolution. Supervisors and employees should make every effort to resolve grievances at the lowest level possible. Employees shall be kept informed of the status of their grievances. If a person in the supervisory chain fails to resolve or refer a grievance within (10) ten calendar days, the employee may present the grievance directly to the next higher level of supervision. It is the policy of the city not to discourage an

employee from submitting an agreement through any type of disciplinary procedure or form of pressure on the employee.

The employee should keep in mind the responsibility of the city to its citizens and the public. It is the responsibility of the employee to assist in discharging this responsibility by contributing to a good working relationship among employees in the city government. In order to minimize disruption of the operation of city government and damage to the reputation of the city among its citizens, the employee is encouraged to use this grievance procedure, particularly when dealing with a matter of the employee's personal interest. However, each employee is free as a citizen to speak on matters of public concern and to bring to light actual or potential wrongdoing or breach of public trust.

## **CHAPTER 11: NONDISCIPLINARY SEPARATION**

### **SECTION 1: RESIGNATION**

An employee may leave the city service in “good standing” by submitting his or her resignation in the prescribed manner giving (2) two weeks’ notice. The department head may waive any portion of the notice period. An employee resigning without the required notice shall be ineligible for reinstatement.

An employee failing to report for duty or remain at work as scheduled without proper notification, authorization, or excuse shall be considered as absent without leave which constitutes abandonment of duties. Absence without leave shall be considered as an employee’s resignation from the city service. In such cases, the employees’ separation shall not be considered to be in “good standing”.

### **SECTION 2: LAYOFF**

An employee may be laid off because of changes in duties or organization, or for lack of work or funds. Whenever possible, an employee laid off from one city department shall be transferred to a suitable position elsewhere. Whenever possible, at least (2) two weeks’ notice shall be given to an employee prior to layoff. Layoffs shall be carried out based on demonstrated job performance and efficiency, with the most efficient employees being retained the longest. Seniority within city service shall be used to determine the order of layoff among employees with substantially equivalent records of job performance and efficiency with the most senior employees being retained the longest. Temporary and part time employees shall be laid off before permanent full-time employees performing similar duties. Layoffs shall not be considered disciplinary actions.

### **SECTION 3: INCAPACITY**

An employee may be separated for incapacity for medical reasons when the employee as an individual no longer meets the standards of fitness required for the position. A finding of incapacity shall be made through individual medical determination by competent authority as prescribed by the department head. Separation for incapacity shall not be considered disciplinary action and shall not operate to deny any employee the use of any accrued illness, injury, disability, or other benefits.

### **SECTION 4: RETIREMENT**

Eligible employees may be separated by retirement in accordance with applicable programs.

## **CHAPTER 12**

### **REINSTATEMENT**

#### **SECTION 1: FOLLOWING RESIGNATION**

A person who resigned in “good standing” may be reinstated if a position is available in his or her former type of position within (1) one year following resignation; provided the person remains qualified to perform the duties of the position, a position is available, and such reinstatement would be in the interest of the city. In the event the former position is no longer in existence or vacant, an attempt will be made to place the person in a similar position, if such a position is available.

#### **SECTION 2: FOLLOWING LAYOFF**

A person who was laid off, including a former temporary or part time employee separated upon completion of duties, may be routinely recalled to work within one year; provided the person remains qualified to perform the duties of the position. In the event the former position is no longer in existence or vacant, an attempt will be made to place the person in a similar position, if such a position is available.

#### **SECTION 3: FOLLOWING SEPARATION FOR INCAPACITY**

A person who was separated for incapacity may be reinstated in his or her former type of position within (1) one year following separation; provided, the reason for the incapacity has been removed to the satisfaction of the city. In the event the former position is no longer in existence or vacant, an attempt will be made to place the person in a similar position, if such a position is available.

#### **SECTION 4: VETERANS**

Employees who left the city in “good standing” to enter on duty with the armed forces of the United States shall be eligible for reinstatement in accordance with applicable state and federal laws. In the event, the former position is no longer in existence or vacant, and attempt will be made to place the person in a similar position, if such a position is available.

#### **SECTION 5: RESTORATION OF CREDITS**

Unless otherwise provided by administrative directive, persons previously earning seniority, service or leave credits for which they did not receive payment at the time of separation shall have their credit restored, up to any maximum permitted accumulation, following reinstatement under the above provisions of this chapter.

#### **SECTION 6: RE-EMPLOYMENT**

Former employees not eligible for reinstatement under specific provisions of this chapter may be considered for employment as members of the general public. Provisions governing restoration of credit shall not apply.

## **CHAPTER 13**

### **PERSONNEL RECORDS**

#### **SECTION 1: PERSONNEL FILES**

The city administrator shall maintain the official personnel files for all city employees. Unless otherwise provided by law, personnel files and information shall be confidential and may not be used or divulged for purposes unconnected with the city personnel management system, except with the permission of the employees involved. Nothing herein shall prevent the dissemination of impersonal statistical information. An employee shall have a right of reasonable inspection of his or her official personnel file under procedures prescribed by the city administrator.

#### **SECTION 2: STATUS CHANGES**

Department heads shall report changes in personnel status of their employees in accordance with procedures developed by the city administrator.

#### **SECTION 3: AUTHORIZED LEGAL STATUS**

- a. No employee or candidate for employment is to be discriminated against based on citizenship, authorized legal status, place of origin, physical, cultural or linguistic characteristics, accent or manner of speaking, unless a legitimate, nondiscriminatory reason can be demonstrated.
- b. The city does not employ persons unauthorized to work in the United States.
- c. The city administrator is responsible for ensuring the eligibility of applicants to work for the city and will handle the I-9.

**CHAPTER 14**  
**EMPLOYEE BENEFITS**

**SECTION 1: WORKERS' COMPENSATION INSURANCE**

Any city employee injured as a result of duties preformed in the course of his or her job shall be eligible to receive workers' compensation benefits, in accordance with the terms of the policy, from the city's insurance carrier at no expense to the employee.

**SECTION 2: SOCIAL SECURITY**

All employees of the city are covered under the Social Security Administration.

**SECTION 3: LIFE INSURANCE**

All full-time employees of the city are covered by a group life insurance policy.

**SECTION 4: HEALTH INSURANCE**

All full-time employees of the city are covered under the city's group health insurance program.

**SECTION 5: RETIREMENT**

All full-time employees of the city are covered under the city's retirement program.

## **CHAPTER 15**

### **MISCELLANEOUS PROVISIONS**

#### **SECTION 1: OPERATION OF MOTORIZED VEHICLES EQUIPMENT AND VEHICLES**

All drivers of motorized vehicles an equipment owned or used by the city of Rice shall be responsible for maintaining the standards of physical fitness required in the operation of such motor vehicles and shall be required to obey all traffic rules and regulations prescribed by law, to have a valid and proper driver's license, and to use every safety measure possible to prevent accidents.

It shall be the duty and responsibility of all operators of motorized equipment, both heavy and light, to properly maintain and service the equipment and report any defect in mechanical equipment when same occurs and to use every precaution to prevent additional property loss, expense, or recurrence of such condition.

Only those personnel authorized by the city council shall be permitted to take city vehicles home after duty hours. Vehicles furnished by the city are for city business use only and in no case will they be used for personal gain or in any unauthorized manner. Only authorized city personnel are allowed to operate city vehicles and equipment due to legal and insurance complications and requirements.

Operators of all motorized equipment used in the service of the city government who violate this regulation or become involved in any accident shall be subject to disciplinary action, if upon investigation it is determined that the employee is responsible for such action or through carelessness or recklessness he or she contributed to the cause of such accident. All accidents involving city owned vehicles shall be reported to the city administrator.

#### **SECTION 2: ACTIVITY REPORTS**

All department heads shall submit monthly reports concerning the activities of their departments to the city council.

### **SECTION 3: PROPERTY CONTROL**

- a. Department heads shall insure that property under their control is properly safeguarded, accounted for, and administered. The department head shall maintain an up-to-date inventory of all city property. All acquisitions, disposals, or transfers of property shall be reported to the city administrator.
- b. postage, stationary, office supplies, tool, vehicles, and equipment purchased and owned by the city are to be used only in the conduct of city business. No city employee shall use these items in the conduct of his personal affairs.
- c. Personnel shall only use city reproduction services for city business.
- d. All gasoline, oil, or other products may be charged provided it is for use in city vehicles or equipment. All charges must be signed for by the purchaser and must contain the Unit number of the city vehicle. For gasoline purchases, odometer readings are required at each fill-up on the ticket. No employees may use gasoline purchased by the city for personal use.

### **SECTION 4: UTILITIES**

The city administrator must approve department requests for new city electric, gas, and telephone utility installations or additional service.

### **SECTION 5: HOUSEKEEPING DUTIES**

Department heads shall be responsible for maintaining neat, sanitary, and orderly office spaces and working areas.

### **SECTION 6: SAFETY**

Department heads shall be responsible for preparing and promulgating safety procedures applicable to all personnel and all operations under their control. Each employee is required to adhere to all safety procedures set forth by the city, state, and federal agencies. It is the obligation of all employees to report any unsafe conditions to the appropriate department head.

## **SECTION 7: BREAKS**

It is the policy of the city to allow (2) two (15) minute breaks at the discretion of the department head. One (1) break is to be taken in the morning and the other in the afternoon. Breaks shall be taken at convenient times without leaving your duties or telephone unattended. At no time will breaks accumulate for later use.

## **SECTION 8: TELEPHONE USAGE**

All long-distance telephone calls shall be made only for necessary city business. Telephones should be answered promptly and courteously. Personal calls shall be limited so as not to interfere with city business.

## **SECTION 9: NEWS RELEASES**

The department head will approve all news releases by city employees prior to their release.

## **SECTION 10: USE OF CITY EQUIPMENT AND FACILITIES**

The use of city equipment and facilities, after normal city business hours for private use, is prohibited without prior approval of the city administrator. Under no circumstances shall city equipment or facilities be loaned or rented without this approval. The use of city equipment and facilities during normal business hours is allowed, provided application is made to the city administrator.

## **SECTION 11: TRAVEL EXPENSES**

The department head may authorize the performance of official travel by employees if such travel is essential to the conduct or planning of activities of the city. Travel costs should be submitted after they have occurred. The cost for travel shall be reimbursed at the current rate as posted by the IRS if a personal or private vehicle is used. Other travel expenses will be reimbursed on an actual cost basis upon the furnishing of a voucher for the cost.

## **SECTION 12: PROFESSIONAL MEMBERSHIPS AND SUBSCRIPTIONS**

The city will participate on the cost of professional memberships and subscriptions for employees applicable to their positions; provided the necessary funds are available. Requests for memberships and subscriptions must be approved by the department head, before participation.

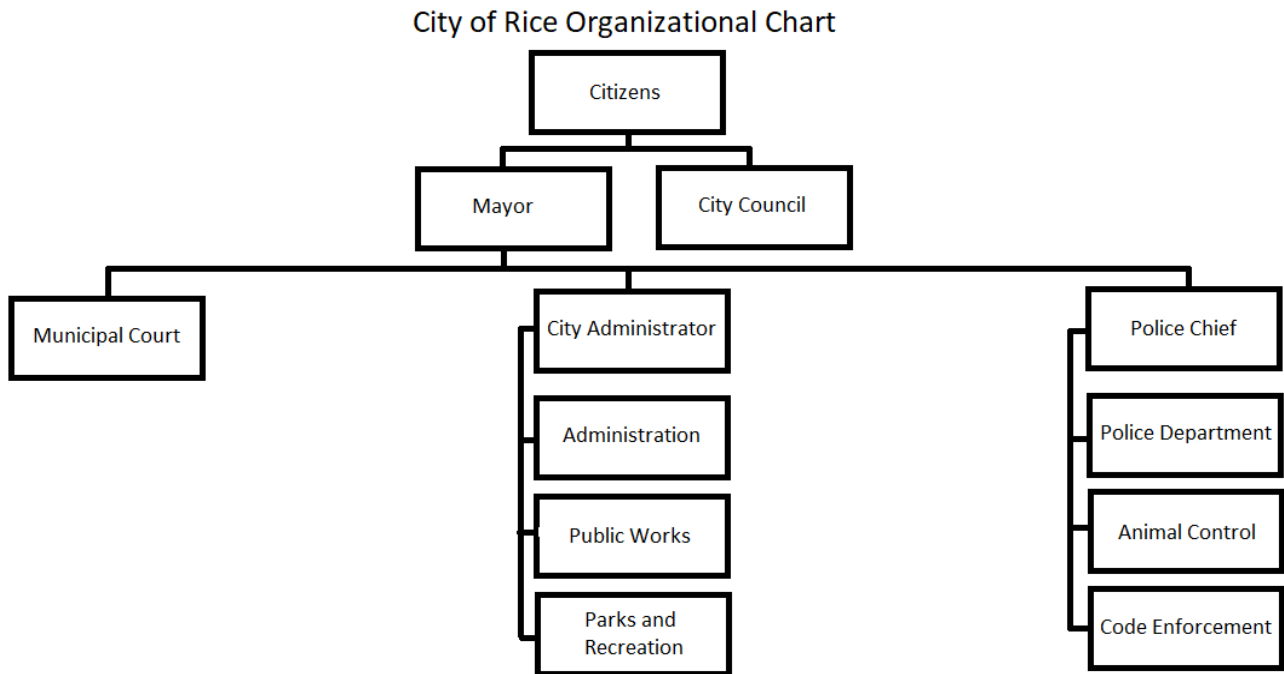
## **SECTION 13: DEPARTMENT HEAD LISTING**

The following personnel shall be considered department heads for the purpose of personnel administration:

- City Administrator
- Police Chief
- Court Administrator

## **SECTION 14: CHAIN OF COMMAND**

The chain of command within the city is hereby established as follows:



# ***CITY OF RICE***

## **PERSONNEL POLICIES MANUAL**

### **An Equal Opportunity Employer**

## Appendix 1

# NEPOTISM CHART

### Consanguinity (Blood Relatives)

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

### Affinity (Marriage)

| 1 <sup>st</sup> Degree | 2 <sup>ND</sup> Degree |
|------------------------|------------------------|
| Father n Law           | Grandfather n Law      |
| Mother n Law           | Grandmother n Law      |
| Brother's Spouse       | Uncle by Marriage      |
| Sister's Spouse        | Aunt by Marriage       |
| Son n Law              | Nephew's Wife          |
| Daughter in Law        | Niece's Husband        |
|                        | Grandson n Law         |
|                        | Granddaughter n Law    |
|                        | First Cousins spouse   |

## **Appendix 2**

### **POLICY ON EMPLOYEE SICK LEAVE POOL**

#### **1. SCOPE**

It shall be the policy of the city of Rice to provide for a Sick Leave Pool, as prescribed by Chapter 157 of *The Texas Local Government Code*, which will enable city employees to contribute accrued sick leave to the Pool and to use time from the Pool.

#### **2. DEFINITIONS**

- a. Administrator means the person designated by the city council to administer the pool. The City Secretary shall be the Administrator.
- b. Eligible employee means a non-elected employee, paid from funds of the city or from special grants paid through the city, who has completed six months service. An eligible employee requesting sick leave pool time must have exhausted all accumulated leave and have been absent from work due to a catastrophic illness or injury and be absent from work for one month. (20 continuous workdays)
- c. Catastrophic illness or injury is one that prevents an employee from performing the functions of his or her job or performing normal life functions for an extended period.
- d. Fiscal Year is the twelve-month period beginning Oct 1 of each year.

#### **3. CONTRIBUTIONS TO THE POOL**

- a. All contributions to the sick leave pool are strictly voluntary.
- b. All contributions must be approved by the administrator based on the eligibility of the employee and the amount of sick leave accrued at the time the contribution is made.
- c. An employee may contribute sick leave to the pool by submitting a completed *Sick Leave Pool Contribution Form* to the administrator.

- d. An employee may contribute a maximum of 48 hours of accrued sick leave (in increments of 8 hours) to the pool each fiscal year.
- e. An employee may make only one contribution to the Sick Leave Pool each fiscal year.
- f. Sick leave time credited to the pool will be deducted from the contributing employee's accrued sick leave as if it had been taken.
- g. An employee who contributes to the Sick Leave Pool and then exhausts regular sick leave within the same fiscal year may receive the amount contributed to that fiscal year (if leave is available in the pool) even if the employee does not have a catastrophic illness or injury.

#### **4. REQUESTING SICK LEAVE FROM THE POOL**

- A. An employee who meets the eligibility requirements outlined in Section V of this policy will be considered eligible to receive Pool Leave.
- B. A request for Pool Leave must be submitted to the administrator in writing using the prescribed forms.
- C. To apply for use of time from the Sick Leave Pool, an eligible employee must complete a *Request for Pool Leave form* and a *Certificate of Illness/Injury* form and submit the completed form to the administrator. *The Certificate of Illness/Injury* must be completed by both the employee and the physician or other licensed medical practitioner.
- D. The administrator will review the request for each request for Pool Leave on an individual basis to determine whether the condition is severe enough to be considered catastrophic. The *Certificate of Illness/Injury* form must contain sufficient information to evaluate the nature of the illness or injury and determine whether the illness or Injury is catastrophic.
- E. The administrator may require the employee to provide additional information or documents to determine whether to approve a request for Pool Leave.

F. All documents submitted to the administrator for the purpose of evaluating eligibility for Pool Leave are confidential and may be maintained as such in the administrator's files.

G. An eligible employee may request and receive Pool Leave regardless of whether the employee contributed leave to the Pool.

H. An eligible employee may be granted, during any fiscal year, a maximum of one-third (1/3) the balance of hours available in the Pool or up to 90 days, whichever is less. The balance of hours available in the Pool will be measured at the date a request meeting the requirements specified in this policy is received by the Pool administrator. Available Pool Leave is administered on a first come, first served basis.

I. If an employee requesting Pool Leave feels that the final determination of the administrator is unfair or that the time allowed is insufficient, he or she may, within 10 working days after receiving notification from the administrator, request in writing to the mayor that the request for Pool Leave be reviewed by the city council.

a. Within ten working days of receiving a written request for review, the mayor will schedule a meeting to consider the employee's application for Pool Leave. Review of the employee's application will be considered in an Executive session posted in accordance with Section 551.074 of the *Texas Government Code*. b. The employee requesting Pool Leave will be notified in writing of the date and the time of the meeting at which the application will be reviewed.

c. The employee should be present at the Executive session to present information about the request for Pool Leave being considered. If the employee is not available to attend the meeting, information may be presented in writing.

d. The decision of the city council will be final.

e. The employee will receive written notification of the council's decision.

J. A holiday within the leave period is not counted as sick leave.

K. The estate of a deceased employee is not entitled to payments for unused sick leave acquired by the employee from the Sick Leave Pool.

## **5. ELIGIBILITY REQUIREMENTS FOR POOL LEAVE**

A. To be eligible for Pool Leave an employee must:

- a. Has been meeting job performance requirements and observing work rules;
- b. Have exhausted all other paid leave (sick, annual, vacation, compensatory time, overtime);
- c. Have been absent from work at least one month (20) continuous workdays.
- d. Have appropriately used sick leave.
- e. Provide properly completed forms as specified in this policy.

B. A catastrophic illness or injury is a severe condition or combination of conditions that:

- a. Affects the mental or physical health of an employee.
- b. Requires the services of a licensed physician or other medical practitioner for a prolonged period of time.
- c. Causes the employee to be unable to work for one continuous month (20 working days) or longer.

C. Example of illness or injuries generally considered severe enough to be catastrophic include, but are not limited to:

- a. Stroke with residual paralysis or weakness;
- b. Incapacitating heart attack;
- c. Major surgery (ie., hysterectomy, mastectomy, heart bypass, prostate);
- d. Cancer;
- e. Hepatitis;

f. Broken hip.

D. Examples of illnesses not categorized as catastrophic include, but are not limited to:

a. broken limb;

b. Cold/allergy

c. Certain types of surgery with minor or no complications (ie.,  
(appendectomy)

d. Pregnancy with minor or no complications.

## Appendix 3

### SICK LEAVE POOL CONTRIBUTION FORM

(Form for contributions of sick leave into the Sick Leave Pool)

**HOURS AVAILABLE FOR CONTRIBUTION** \_\_\_\_\_

**SECTION I** (to be completed by employee)

NAME \_\_\_\_\_

SSN \_\_\_\_\_

DEPARTMENT \_\_\_\_\_

Number of hours you wish to contribute \_\_\_\_\_

SIGNATURE OF EMPLOYEE \_\_\_\_\_

DATE \_\_\_\_\_

SIGNATURE OF DEPARTMENT HEAD \_\_\_\_\_

DATE \_\_\_\_\_

---

**SECTION II** (To be completed by the Pool Administrator)

Approved \_\_\_\_\_ No. of hours \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF POOL ADMINISTRATOR

\_\_\_\_\_  
Date

## Appendix 4

### REQUEST FOR POOL LEAVE

This form should be used to make application for the use of paid leave time from the Sick Leave Pool

#### **SECTION I** (To be completed by employee)

NAME \_\_\_\_\_ SSN \_\_\_\_\_

DEPARTMENT \_\_\_\_\_

Last date employee physically on duty \_\_\_\_\_

Date employee exhausted all paid leave \_\_\_\_\_

Sick Leave Pool time requested \_\_\_\_\_

Leave without pay (if any) from \_\_\_\_\_ to \_\_\_\_\_

#### **THIS REQUEST MUST BE ACCOMPANIED BY CERTIFICATE OF ILLNESS/INJURY**

SIGNATURE EMPLOYEE \_\_\_\_\_ DATE \_\_\_\_\_

SIGNATURE DEPARTMENT HEAD \_\_\_\_\_ DATE \_\_\_\_\_

---

#### **Section II** (To be completed by the Pool Administrator)

Approved \_\_\_\_\_ No. of hours \_\_\_\_\_

Denied \_\_\_\_\_ Reason: \_\_\_\_\_

\_\_\_\_\_

SIGNATURE OF POOL ADMINISTRATOR

DATE

## Appendix 5

### CERTIFICATION OF ILLNESS/INJURY

This form must accompany the *Request for Pool Leave* form.

#### **SECTION I** (To be completed by employee)

Name \_\_\_\_\_ SSN \_\_\_\_\_

DEPARTMENT \_\_\_\_\_

I authorize the physician or other licensed medical practitioner to provide medical information about the patient to the City of Rice.

Signature of Employee \_\_\_\_\_ Date \_\_\_\_\_

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#### **SECTION II** (To be completed by physician or other licensed medical practitioner)

Date of onset of illness or injury \_\_\_\_\_

Date employee was first unable to work due to illness/injury \_\_\_\_\_

If surgery was required, give date \_\_\_\_\_

Describe illness or injury (Describe surgical procedure, if applicable)

\_\_\_\_\_  
\_\_\_\_\_

Date this employee should be able to return to work \_\_\_\_\_

Restrictions (If any) \_\_\_\_\_

PRACTIONIONER'S NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

SIGNATURE PHYSICIAN/LICENSED PRACTITIONER \_\_\_\_\_

PHONE \_\_\_\_\_

DATE \_\_\_\_\_

EMPLOYEE NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

I give my permission for \$ \_\_\_\_\_ to be withheld from my weekly  
paycheck for the purpose of \_\_\_\_\_

Employee's signature \_\_\_\_\_

| Date | Amount | Balance | Memo |
|------|--------|---------|------|
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## **Appendix 6**

### **EMPLOYEE CLASSIFICATION PLAN**

#### **DEPARTMENT HEADS**

##### **CITY ADMINISTRATOR**

Full-time salaried position. Acts as Administrative Officer of the local government. Responsible to the city council for the proper administration of all the city affairs assigned by ordinance or directive. Supervises major municipal activities or departments. Performs city secretary tasks. Responsible for recording of official proceedings of the city council conducting all city elections and maintaining official records. Reports directly to mayor and city council. Reviews are conducted by the mayor and approved by council twice a year.

##### **CHIEF OF POLICE**

Full-time salaried position. Directs and manages police department operations, establishes departmental policies, procedures, and regulations and ensures proper enforcement to maintain an effective police department. Confers with public officials and citizen groups. Coordinates police work with other municipalities and law enforcement agencies. Advises City Administrator in the preparation of budgets and reports. Reports directly to mayor and city council. Advanced TCOLE Certification or ten years of progressively responsible supervisory experience in law enforcement preferred. Reviews are conducted by the mayor and approved by council twice a year.

##### **COURT ADMINISTRATOR**

Full-time hourly position. Performs all functions of the municipal court. Schedules cases for hearing and verifies the court docket before court is in session. Balances cash drawer and makes deposit slips daily. Answers phone calls, typing, and

handles correspondence. Certification by Texas Municipal Courts Education Center required. Reviews are conducted by the mayor and approved by council twice a year.

## **EMPLOYEES**

### **Administrative Personnel (reports to City Administrator)**

#### **CITY SECRETARY/ FINANCE CLERK**

Full or Part – time position. Provides administrative support to the Mayor, City Council and staff. Prepares and posts all legal, agenda and meeting notices, provides staff support to the City Council and Council appointed boards; prepares documentation for and recordings of official City Council minutes, ordinances, resolutions, and other related business; maintains official city records and oversees records management and retention program; provides review and responds to public information requests; administers elections processes and ensures deadline requirements are met. The finance clerk is responsible for recording all monies coming into and leaving the Clerk's Office. The finance clerk performs a wide variety of financial recordkeeping duties. These duties include bookkeeping, accounting, payroll and financial reporting. Hourly position.

#### **MUNICIPAL CLERK**

Full or Part – time position. Types letters, forms reports. Files. Acts as office receptionist. Prepares, processes, and maintains various records. Performs other related duties as required under general supervision. Basic typing skills, data entry, and word processing required. High School Diploma or equivalent. Hourly position.

### **STREET MAINTENANCE WORKER/LABORER**

Full or part-time position. Under immediate supervision performs simple general maintenance task. Duties may include but are not limited to digging and filling holes, mowing grass, loading, and unloading equipment and supplies, etc. Performs routine building and grounds maintenance/ janitorial work which includes a variety of housekeeping duties and cleaning tasks. Hourly position.

### **PARKS AND RECREATION SPECIALIST**

Full or part – time position. Under Immediate supervision performs clerical duties including department grant management, general clerical duties, associated with parks and recreation, as well as general simple general maintenance tasks. Duties may include but are not limited to mowing grass, planting trees, shrubs, and flowers, picking up trash, loading and unloading equipment and supplies, etc. Performs routine building and grounds maintenance/janitorial work which includes a variety of housekeeping duties and cleaning tasks.

## **EMPLOYEES**

### **Court Personnel (reports to Court Administrator)**

#### **MUNICIPAL JUDGE**

Full, Part-time position or contracted. Schedules cases for hearing and verifies the court docket before court is in session. Certification by Texas Municipal Courts Education Center required. Presides over trials and other court proceedings, performs certain magistrate functions including, but not limited to, all jail arraignments. Salaried position.

#### **COURT CLERK**

Full or Part - time position. Types letters, forms reports. Files. Acts as office receptionist. Prepares, processes, and maintains various records. Performs other related duties as required under general supervision. Basic typing skills, data

entry, and word processing required. High School Diploma or equivalent. Hourly position. Reports to Court Administrator

## **Police Department Personnel (reports to Chief of Police)**

### **POLICE SERGEANT**

Full - time or part - time position. Provides technical assistance and assists in supervision of other assigned officers. Journeyman level responsibility for providing leadership and participating work of assigned officers. Makes periodic check of equipment, officer appearance, conduct, safe procedures, on-scene crime investigations, and accident investigations. Helps train new personnel. High School Diploma or GED. Prefer intermediate TCOLE Certification, minimum of two-year experience. Salaried or hourly position.

### **POLICE OFFICER**

Full or part time position. Patrols assigned area, respond to emergency calls, and takes necessary actions. Directs traffic. Issues citations and investigates accidents. Prepares Patrol, offense, and arrest reports. Gives advice to citizens concerning laws and ordinances. Guards and transports prisoners. Maintains vehicle and equipment. High School Diploma or equivalent. State TCOLE Certification. Salaried or hourly position.

### **POLICE CLERK**

Full or part- time position. Types letters, forms reports, files. Acts as office receptionist. Prepares, processes, and maintains various records. Performs other related duties as required under general supervision. Basic typing skills, data entry, and word processing required. High School Diploma or equivalent. Hourly position.

**CODE COMPLIANCE PEACE OFFICER**

Full or part– time position. Under immediate supervision of the Police Chief, performs a variety of routine patrols, interprets, and enforces the adopted City Ordinances. Hourly position.

## Appendix 7

### City of Rice Employee Performance Appraisal Employee

Name: \_\_\_\_\_

Position/Department: \_\_\_\_\_

Date of Hire: \_\_\_\_\_

Date Completing Review: \_\_\_\_\_

Ratings: Please rate the employee on the factors listed below, using the following rating codes: 1 = Unsatisfactory/Fails to meet minimum requirements 2 = Acceptable, but needs improvement to meet requirements 3 = Meets expected requirements 4 = Generally exceeds requirements 5 = Far exceeds requirements N/A = Not Applicable or too soon to rate employee on criteria 1 2 3 4 5 N/A

1. Adaptability (Adjusts to changing situations, learns new and different tasks) 1 2 3 4 5 N/A
2. Attitude (Shows enthusiasm toward the job; works overtime when asked by supervisor) 1 2 3 4 5 N/A
3. Communication (Speaks and writes in a clear and concise manner as it pertains to the job) 1 2 3 4 5 N/A
4. Attendance (Does not disrupt operations by being habitually tardy or absent; works as scheduled) 1 2 3 4 5 N/A
5. Conduct (Follows company's rules and policies and is a good example for co-workers to follow) 1 2 3 4 5 N/A
6. Initiative/Judgment (Identifies and appropriately solves or refers problems) 1 2 3 4 5 N/A
7. Interpersonal Skills (Works effectively with other employees in a harmonious manner) 1 2 3 4 5 N/A
8. Job Knowledge (Understands and performs all elements of the job) 1 2 3 4 5 N/A
9. Work Quality (Accuracy and reliability of results) 1 2 3 4 5 N/A
10. Work Quantity (Meets or exceeds production standards; completes work in a timely manner) 1 2 3 4 5 N/A
11. Safety (Promotes and reinforces a safe work environment; displays good housekeeping in work area)

\_\_\_\_\_ Total Points

Overall Performance Rating:

- ☐ Unsatisfactory (0–15 pts) Does not meet the key requirements of the job. Excessive direction and follow-up are needed. Immediate improvement required.
- ☐ Needs Improvement (16–31 pts) Met the key requirements, but did not meet job requirements in all areas. Performance is inconsistent and at times fails to meet the standards of the job.

☐ Meets Requirements (32–37 pts) Met the job requirements in all key areas. Performance consistently meets the standards of the job.

☐ Exceeds Requirements (38–48 pts) Met the key requirements of the job in all areas and exceeded the requirements of the job in many areas. Performance is characterized by consistent high achievement.

☐ Far Exceeds Requirements (49–55 pts) Far exceeded the requirements in all areas. Performance consistently by exceptional accomplishment. Major Strengths: Describe the employee's major strengths and abilities and how they relate to the job requirements.

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Areas Requiring Improvement: Describe the specific areas in which you feel the employee needs to improve. Also describe the specific actions that will be taken by you and the employee to strengthen these areas, any training required, and the deadline for which improvements are expected.

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Goals: List the goals to be accomplished during the up-coming year.

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Employee Comments: (Optional)

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This performance appraisal will be placed in your official personnel file and should be kept confidential. Any discussion of the contents outside of the appraisal meeting could result in disciplinary action, up to and including termination. Required Signatures: Employee:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Reviewer:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Department Head:

\_\_\_\_\_  
Date:

City Administrator: \_\_\_\_\_ Date: \_\_\_\_\_