



2019

Policy Manual

Policy Manual

Note: The contents of this manual are not and should not be construed as a promise of employment, continued employment, or as a contract between the City of Jacksonville and any of its employees.

This manual applies to paid employees but does not apply to elected or appointed officials unless the context expressly includes them.

The City of Jacksonville at its option may change, delete, suspend, or discontinue parts of or the policy in its entirety, at any time without prior notice.

Adopted May 2019 by the City Council of the City of Jacksonville.

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SECTION I – GENERAL POLICIES

1.01 Authority

The City, through the City Manager, reserves the authority to modify, revoke, interpret, or terminate any or all of the rules set forth in these policies, in whole or in part at any time. The issuance of these policies does not constitute an expressed or implied contract between the City and its employees. Supervisory personnel shall not and cannot make any representation to employees or applicants concerning the terms or conditions of employment with the City which are inconsistent with these policies.

City policies are subject to the final approval and revision by City Council. The general and final authority for personnel administration rests with the City Manager.

The City Manager may revise or amend these policies and procedures to the extent deemed necessary by the City Manager in order to more effectively and efficiently promote the interests of the City and its employees, subject to revision or modification by the Policy Committee of the City Council.

Supervisors and department heads are responsible for enforcing the provisions of these policies. City employees are responsible for complying with and adhering to these policies and for conforming to the directions provided by departmental management in the fulfillment of the policies.

Because of the variety of services performed by the City, it may be necessary for individual departments to establish codes of conduct, rules and regulations, policies, and standard operating procedures to accomplish departmental responsibilities in addition to these policies. All such departmental rules/policies may be more restrictive but not less restrictive than these policies. Departmental policies must be approved by the City Manager in writing. An employee who violates a departmental code of conduct, rule, policy, or procedure is subject to disciplinary action up to and including termination.

SECTION I – GENERAL POLICIES

1.02 Responsibility for Implementation of Personnel Policies

The City Manager is responsible for the administration of personnel policies. Supervisors and department heads are responsible for the day-to-day administration and enforcement of these policies.

With the exception of matters of appointments, and any other personnel actions reserved to the City Council by statute or ordinance, final authority on appointments and personnel decisions is reserved by the City Manager.

No individual Council member shall dictate the appointment or removal of any City employee whom the City Manager or any of his or her subordinates is authorized to appoint.

SECTION I – GENERAL POLICIES

1.03 Objectives

The purpose of these policies is to promote understanding, cooperation, efficiency, and unity in personnel management and administration; and to provide a set of basic uniform policies for all employees.

This manual is designed to provide basic information regarding working conditions, employee benefits, and policies affecting employment. Employees should read, understand, and comply with all provisions of the manual. It outlines the programs developed by the City to benefit employees. No employee manual can anticipate every circumstance or question about policy. The City reserves the right to revise, supplement, or rescind any policies or portion of the manual from time to time as it deems appropriate, in its sole and absolute discretion. Any future changes to this manual shall be communicated to employees.

The fundamental objectives of the policies are:

- A. To promote efficiency, responsiveness to the public, and economy in the service of the City;
- B. To develop a program of recruitment and advancement which make service to the City attractive as a career and encourage each employee to render their best service to the City;
- C. To establish and maintain a plan of evaluation and compensation based upon the relative duties and responsibilities of positions within the City and to reward meritorious service;
- D. To establish and promote high morale among City employees;
- E. To take all reasonable actions to comply with all applicable statutes and regulations;
- F. To regard planned training, continuing education, and staff development activities as an investment for the mutual benefit of employees and the City;
- G. To communicate freely and to encourage communication from and among all employees;
- H. To provide a work environment that is conducive to both personal and professional growth;
- I. To promote an employee's right to be treated with respect, dignity, and fairness; and
- J. To recruit, select, compensate, and promote employees on the basis of qualifications and merit.

SECTION I – GENERAL POLICIES

1.04 Applicability of Personnel Policies

These personnel policies and procedures apply equally to all employees of the City unless a class of employees is specifically exempted. The City Attorney and Municipal Judge are not covered by the terms of 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 with applicable laws or regulations.

SECTION I – GENERAL POLICIES

1.05 Dissemination of Personnel Policies

The City Secretary shall maintain the official set of personnel policies with all revisions for reference by employees and is responsible for providing a complete copy of this manual and copies of all subsequent revisions or policy changes to each employee. If a question arises about a particular policy, the official set of policies in the City Secretary's office should be consulted and will control.

As a part of the initial orientation process, HR will provide a copy of the policy manual to new employees. **Upon receipt, each employee is required to sign an acknowledgement declaring they have received a copy of the manual and accepts responsibility for knowing the contents. The acknowledgement form is filed in the employee's personnel file. Failure to sign and return an acknowledgement form is grounds for termination.**

SECTION I – GENERAL POLICIES

1.06 At Will Employment

The City of Jacksonville is an at will employer. Texas law allows the City to maintain this at will employment relationship with its employees. This means that either the employee or the City may decide that the employee will leave the job without either party having to give a reason.

SECTION I – GENERAL POLICIES

1.07 Equal Employment Opportunity

The City of Jacksonville does not discriminate against any person in job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, or any other aspect of personnel administration based on race, age, gender, religion, color, disability, or national origin.

An employee should not engage in any conduct at work that involves the use of derogatory remarks or jokes that reference or refer to a person's race, age, gender, religion, color, disability, or national origin.

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

SECTION I – GENERAL POLICIES

1.08 Unlawful Harassment

The City is proud of its work environment in which all individuals are treated with respect and dignity, and which is free from intimidation, hostility, or other offenses which might interfere with work performance. Each person has the right to work in a pleasant, professional atmosphere that promotes equal opportunities and prohibits discriminatory practices, including harassment. In accordance with applicable law, the City prohibits sexual harassment and harassment because of age, ancestry, color, creed, disability (physical or mental), gender, marital status, medical condition (including pregnancy), national origin, race, religion, veteran status, or any other basis protected by federal, state, or local law. All such harassment of any sort – physical, verbal, visual – is unlawful and will not be tolerated.

What Is Harassment?

Workplace harassment can take many forms. It may be, but is not limited to, words, gestures, offensive jokes, cartoons, pictures, posters, email jokes or statements, pranks, intimidation, physical assaults or contact, or violence. Harassment is not necessarily sexual in nature. It may also take the form of other vocal activity including derogatory statements not directed to the targeted individual but taking place within their hearing. Other prohibited conduct includes written material such as notes, photographs, cartoons, articles of a harassing or offensive nature, and taking retaliatory action against an employee for discussing or making a harassment complaint.

Sexual harassment may include unwelcome sexual advances, requests for sexual favors, or other verbal or physical contact of a sexual nature when such conduct creates an offensive, hostile and intimidating working environment and prevents an individual from effectively performing the duties of their position. It also encompasses such conduct when it is made a term or condition of employment or compensation, either implicitly or explicitly, and when an employment decision is based on an individual's acceptance or rejection of such conduct.

It is important to note that sexual harassment crosses age and gender boundaries and cannot be stereotyped. Among other perceived unconventional situations, sexual harassment may even involve two women or two men. Sexual harassment may exist on a continuum of behavior. For instance, one example of sexual harassment may be that of an employee showing offensive pictures to another employee.

Generally, two categories of sexual harassment exist. The first, "quid pro quo," ("do something for me and I will do something for you") may be defined as an exchange of sexual favors for improvement in working conditions and/or compensation. The second category, "hostile, intimidating, or offensive working environment," can be described as a situation in which unwelcome sexual advances, requests for sexual favors, or other verbal or physical contact of a sexual nature when such conduct creates an intimidating or offensive environment. Examples are, but not limited to, pictures, cartoons, symbols, or apparatus found to be offensive and which exist in the workspace of an employee. This behavior does not necessarily link improved

working conditions in exchange for sexual favors. It is also against City policy to download inappropriate pictures or materials from computer systems.

Sexual Harassment Defined

Applicable state and federal law define sexual harassment as unwanted sexual advances, requests for sexual favors, visual, verbal, or physical conduct of a sexual nature when:

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

This definition includes many forms of offensive behavior. The following is a partial list:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;
- Visual conduct such as leering, making sexual gestures, or displaying sexually suggestive objects, computer images, pictures, cartoons, or posters;
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about any employee's body or dress;
- Verbal sexual advances or propositions;
- 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, email, or invitations;
- Physical conduct such as touching, assault, or impeding or blocking movements; and
- Retaliation for reporting harassment or threatening to report harassment.

It is unlawful for males to sexually harass females or other males and for females to sexually harass males or other females. Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a manager, or harassment by or of persons doing business with or for the City.

Other Types of Harassment

Prohibited harassment on the basis of race, color, national origin, ancestry, religion, physical or mental disability, marital status, medical condition, age, or any other protected basis, includes behavior similar to sexual harassment, such as:

- Verbal conduct such as threats, epithets, derogatory comments, or slurs;
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- Physical conduct such as assault, unwanted touching, or blocking normal movement; and
- Retaliation for reporting harassment or threatening to report harassment.

Responsibility

All City employees, and particularly supervisors, have a responsibility for keeping the work environment free of harassment. Any employee who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it, must report it to their immediate supervisor or the designated department head with whom they feel comfortable. When the City becomes aware of the existence of harassment, it is obligated by law to take prompt and appropriate action whether or not the victim wants the City to do so.

Liability for Harassment

Any employee, whether a coworker or supervisor, who is found to have engaged in prohibited harassment is subject to disciplinary action up to and including discharge from employment. Any employee, who engages in prohibited harassment, including any supervisor who knew about the harassment but took no action to stop it, may be held personally liable for monetary damages. Any supervisor who knew about harassment and took no action to stop it or failed to report the harassment to the department head or City Manager may also be subject to discipline up to and including discharge.

The City accepts no liability for harassment of one employee by another employee. The individual who makes unwelcome advances, threatens or in any way harasses another employee is personally liable for such actions and their consequences. The City may or may not provide legal, financial, or any other assistance to an individual accused of harassment if a legal complaint is filed.

Reporting Harassment

While the City encourages employees to communicate directly with the alleged harasser, and make it clear that the harasser's behavior is unacceptable, offensive or inappropriate, it is not required that they do so. It is essential, however, to notify the immediate supervisor immediately even if an employee is not sure the offending behavior is considered harassment.

Any incidents of harassment must be immediately reported to a supervisor or department head. Appropriate investigation and disciplinary action will be taken. All reports will be promptly investigated with due regard for the privacy of everyone involved. However, confidentiality cannot be guaranteed. Any employee found to have harassed a fellow employee or subordinate will be subject to severe disciplinary action up to and including termination. The City will also take any additional action necessary to appropriately remedy the situation.

Complaint Procedure

The City wants every individual to know that procedures exist to report any harassment. These procedures should be followed whenever an individual believes that he or she has been the subject of harassment or observes or has knowledge of a violation of the City's policy on harassment. Particularly, anyone in a supervisory position who observes or has knowledge of a violation of the City's anti-harassment policy (whether or not a complaint has been filed) has an obligation to report the situation to the City Manager.

The incident or conduct in question should be promptly reported to a direct supervisor. The complaint may be verbal or written. If an employee is uncomfortable discussing the matter with their immediate supervisor, they may report the incident or conduct to the department head or to the City Manager. Employees may also report the complaint to the City's independent HR attorney by email or the HR concern telephone line.

Employees should also feel free to report the incident or conduct even if in the past it was not reported, or if they have taken some time to decide to make the complaint.

If the City determines that prohibited harassment has occurred, the City will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited harassment is substantiated, appropriate disciplinary action up to and including discharge will be taken. Confidentiality for all parties involved will be respected to the utmost extent possible. The City's policy also prohibits retaliation against individuals who in good faith have filed complaints of harassment even if insufficient evidence is found to support the complaint.

The City will investigate any complaint of sexual harassment and will take immediate and appropriate disciplinary action if sexual harassment has been found within the workplace.

Retaliation of any sort will not be permitted. The City prohibits any employee from retaliating in any way against anyone who has raised any concern about sexual harassment or discrimination against another individual. No adverse employment action will be taken for any employee making a good faith report of alleged harassment.

External Agencies

In addition to City's policy regarding unlawful harassment in the workplace, the law provides that all employees have the right to file a charge or complaint with the Equal Opportunity Employment Commission (EEOC), the federal agency charged with the enforcement of federal laws protecting employees against unlawful discrimination.

SECTION I – GENERAL POLICIES

1.09 Persons with Disabilities

The City prohibits discrimination on the basis of disability in all employment practices. Before making an offer of employment, an employer may not ask job applicants about the existence, nature, or severity of a disability. Certain positions may be subject to bona fide occupational qualifications. Applicants may be asked about their ability to perform job functions. The City Manager has responsibility for all employment practices concerning disabilities.

The City is committed to providing equal opportunities to individuals with disabilities. The City will provide reasonable accommodation to enable a qualified applicant to perform the essential functions of the job and to enable a qualified employee with a disability to perform the essential functions of a job currently held. We will not be able to make an accommodation that would impose an undue hardship on the company as defined by law. Each accommodation request will be handled on a case-by-case basis and every reasonable effort will be made to comply with it. Requests for accommodations should be directed to the department head and/or the City Manager.

It is the policy of the City to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA). The City will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability. The City will also make reasonable accommodation wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that any accommodations made do not impose an undue hardship on City.

It is the City's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability, or perceived disability, so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the City aware of his or her disability provided that such accommodation does not constitute an undue hardship on City.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact their department head. The City encourages individuals with disabilities to come forward and request reasonable accommodation.

SECTION I – GENERAL POLICIES

1.10 Policy Changes and Employee Suggestions

These policies may be amended or revised or new policies may be added, at any time, with or without notice, upon the approval by the City Manager, subject to review and oversight by City Council. In addition, the City Manager and City Attorney may conduct a review of the policies contained in this manual and submit any necessary or recommended changes to City Council for approval.

Employees are encouraged to make constructive suggestions for improvements to these policies or to work procedures or conditions. Any employee who wishes to suggest a personnel policy change should submit their suggestion(s) in writing to their supervisor for consideration. Employees are responsible for maintaining current knowledge and understanding of all personnel policy changes and for requesting clarification or assistance when needed.

Supervisors and employees are provided copies of changes to these policies by the department head as soon as practicable.

SECTION II – EMPLOYEE RESPONSIBILITIES

2.01 General Employee Responsibilities

The City of Jacksonville is a local government organization dedicated to providing exceptional public service. To that end, City employees must adhere to the highest standards of conduct; emphasizing professionalism, courtesy, and avoidance of the appearance of illegal or unethical conduct.

Employees are required to efficiently carry out the duties assigned as their responsibility, to act honorably, and to do their part in maintaining good relationships with the public, their supervisors, City officials, and their fellow employees.

SECTION II – EMPLOYEE RESPONSIBILITIES

2.02 Professional Appearance

Employees of the City are hired to provide services to the City's citizens, business owners, and guests as well as performing specific tasks in a professional manner. As representatives of the City, employees are encouraged to set and meet high standards both in performing quality work and in presenting a professional personal image to the public. Employees are expected to exercise regular hygiene care and to dress and groom themselves in a neat and tasteful manner, which is appropriate to the particular job being performed. A neat, well-groomed appearance and a courteous attitude are necessary in creating and maintaining a professional, favorable image of the City's work force.

The City standard for dress code will be set by the department head with approval of the City Manager.

Formal Dress Code Recommendations

In a formal business environment, the standard of dressing for men and women is a suit, a jacket and pants or a skirt, dress shirt, tie and slacks, or a dress paired with appropriate accessories.

Clothing that reveals too much cleavage, back, chest, stomach or undergarments is not appropriate for a place of business. Clothing should be pressed and never wrinkled. Torn, dirty, or frayed clothing is unacceptable. All seams must be finished. Any clothing that has words, terms, or pictures that may be offensive to other employees or to the public is unacceptable.

Business Casual Recommendations

Business casual clothing, although never clothing potentially offensive to others, is allowed. Clothing that has the City of Jacksonville logo is encouraged. The wearing of T-Shirts, sheer blouses, overalls, shorts, sweat-suits/wind-suits, and flip-flops are not acceptable. Jeans are acceptable provided they are not frayed and do not have holes.

Formal Business Attire Recommendations

The sections that follow provide an overview of appropriate formal business attire. The lists tell you what is generally acceptable as formal business attire and what is generally not acceptable as formal business attire.

No dress code can cover all contingencies so employees must exert a certain amount of judgment in their choice of clothing to wear to work. If you experience uncertainty about acceptable, professional formal business attire for work, please ask your supervisor.

Slacks, Pants, and Suit Pants

Slacks that are similar to Dockers and other makers of cotton or synthetic material pants, wool pants, pants that match a suit jacket, and nice-looking dress synthetic pants are acceptable. Inappropriate slacks or pants include any that are too informal. This includes sweatpants, exercise pants, Bermuda shorts, short shorts, shorts, bib overalls, leggings, and any spandex, or other form-fitting pants such as people wear for exercise or biking.

Skirts, Dresses, and Skirted Suits

Dresses, skirts, skirts with jackets, dressy two-piece knit suits or sets, and skirts that are split at or below the knee are acceptable. Dress and skirt length should be at a length at which you can sit comfortably in public. Short, tight skirts that ride halfway up the thigh are inappropriate for work. Mini-skirts, skorts, sun dresses, beach dresses, sleeveless dresses, and spaghetti-strap dresses are inappropriate for the office.

Shirts, Tops, Blouses, and Jackets

Shirts, dress shirts, sweaters, tops, and turtlenecks are acceptable attire for work if they contribute to the appearance of formal, professional dress. Most suit jackets or sport coats are also desirable attire for the office. Inappropriate attire for work includes sleeveless shirts, tank tops, midriff tops, shirts with potentially offensive words, terms, logos, pictures, cartoons, or slogans, halter-tops, tops with bare shoulders or plunging necklines, sweatshirts, and t-shirts.

Shoes and Footwear

Conservative walking shoes, dress shoes, oxfords, loafers, boots, flats, dress heels, and backless or open-toe shoes are acceptable for work. Men will wear socks at all times. Athletic shoes, tennis shoes, flip-flops, crocs and slippers, are not acceptable in the office.

Body Piercings and Body Art

Body piercing of the face, head and mouth detracts from a professional appearance and may not be worn by any employee while representing the City. Any other body piercing, which is not concealed by appropriate clothing, may not be worn by any employee while representing the City.

Female employees may wear earrings which are tasteful and non-distracting. Earrings will be limited to two per earlobe and one in the cartilage, for a total of three per ear. Male employees may not wear earrings while representing the City. Gauges are not permitted.

Tattoos/body art/branding must be tasteful and appropriate. Inappropriate tattoos are not allowed to be visible at any time. Tattoos/body art/branding can be covered by appropriate clothing or through the use of a flesh colored bandage or wrap when representing the City. Tattoos/body art/branding of the face, head, or neck is not acceptable. Department heads are responsible for the determination if a tattoo should be covered.

Accessories

Tasteful, professional ties, scarves, belts, and jewelry are encouraged. Jewelry should be worn in good taste.

Makeup, Perfume, and Cologne

A professional appearance is encouraged and excessive makeup is unprofessional. Remember that some employees are allergic to the chemicals in perfumes and makeup, so wear these substances with restraint.

Hats and Head Covering

Hats or caps are not appropriate in the office. Head covers that are required for religious purposes or to honor cultural tradition are allowed.

SECTION II – EMPLOYEE RESPONSIBILITIES

2.03 Uniforms

The City has provided uniforms for all Public Works personnel assigned to field service duties. Public Works employees must be dressed in uniform before reporting for work each day and must keep their uniforms neat, clean and serviceable.

The Jacksonville Fire and Police Departments provide uniforms to all sworn personnel. The manner that police uniforms are to be worn will be dictated by the Jacksonville Fire Department and Police Department policy as approved by the Fire Chief and Chief of Police.

All uniforms must be returned to the department head upon an employee's separation from employment with the City of Jacksonville, as follows:

- Police Department: All uniform pieces, including shirts, pants, shorts, jackets; leather gear, accessories, safety vest, etc.
- Fire Department: All uniform pieces, including shirts, pants, shorts, jackets, leather gear, accessories, safety vest, etc.
- Public Works: All uniform pieces, including shirts, pants, shorts, jackets, gloves, hats, safety vests, accessories, etc.
- Administrative Personnel: All specialty items, including jackets, accessories, etc.

SECTION II – EMPLOYEE RESPONSIBILITIES

2.04 Timeliness

Employees are to be punctual in reporting for work, keeping appointments, and meeting schedules for completion of work. Generally, the City's business hours are 8:00 a.m. to 5:00 p.m., Monday thru Friday, excluding approved City holidays. All employees, unless otherwise dictated by an alternate shift assignment, are expected to be at their duty station no later than 8:00 a.m. An employee who expects to be late for or absent from work must report the expected tardiness or absence to his or her supervisor as soon as possible, indicating the reason for the absence or tardiness. If the employee's supervisor cannot be reached, the employee will notify the appropriate staff member. Advance notification requirements may vary from department to department, depending upon the nature of the work and the need to secure substitute employees to carry on critical City functions.

Failure to report within the required period can be considered justification for disallowing paid leave for an absence. Unless otherwise approved by the supervisor, employees are expected to call on each day of absence. Absence from work for two consecutive days without proper notification will be considered a voluntary resignation, resulting in termination of employment and termination of City employment benefits. Where the nature of the absence necessitates an extended period of time off, the supervisor may approve longer reporting intervals. Frequent tardiness or unexcused absence is not permissible and will result in disciplinary action up to and including termination.

In cases where an absence is known in advance, the employee must receive written approval from his or her supervisor at least 24 hours in advance of the anticipated leave. See the Leave Time section of these policies for matters involving planned absences.

Alternative work schedules must be approved by the City Manager. For shift personnel working in the police or fire department (commissioned fire protection personnel and EMS staff), shifts are set by the respective chiefs of each department. Parks and other community services personnel shall work shifts as warranted by summer hours.

SECTION II – EMPLOYEE RESPONSIBILITIES

2.05 Outside Activities

To protect the City from potential liabilities, employees may not engage in any outside employment, activity, or enterprise determined by the City Manager (1) to be inconsistent or incompatible with employment with the City; or (2) to affect the employee's job performance adversely. Examples of outside activities that may conflict with City employment include construction or installation that may be inspected or regulated by the employee's City department, employment by a major contractor of the City, or employment that results in fatigue while on City duty.

In order to avoid conflicts of interest and potential liability on the part of the City, an employee must have the advance written approval of his or her supervisor to engage in any outside employment, including self-employment. In addition, when an employee's approved outside employment ceases, the employee must notify his or her supervisor.

The City of Jacksonville is considered to be an employee's primary employer. Scheduling of outside employment shall not interfere or conflict with an employee's schedule.

Jacksonville police officers are governed by specific regulations regarding both off-duty and extra-duty employment. These regulations are dictated in the Jacksonville Police Department Policy Manual as approved by the Chief of Police.

Jacksonville commissioned fire protection personnel are governed by specific regulations regarding both off-duty and extra-duty employment. These regulations are dictated in the Jacksonville Fire Department Policy Manual as approved by the Fire Chief.

If a City employee is injured on the job in the course of employment outside of his or her employment with the City, the employee may not file a workers' compensation claim against the City for benefits related to the injury, regardless of the fact that the City Manager may have determined that the outside employment satisfied the City's prerequisites.

The City accepts no liability for any action, failure to act, injury to self or others, property damage, or any other damage resulting from outside employment by a City employee.

SECTION II – EMPLOYEE RESPONSIBILITIES

2.06 Conflict of Interest

An employee of the City shall not engage in any employment, relationship, or activity which would adversely affect his/her job efficiency or which would reduce his/her ability to make objective decisions in regard to his/her work and responsibility as a City employee. Violations of this policy will likely result in disciplinary action up to and including termination of employment. Any questions concerning the prohibitions imposed by this policy shall be directed to your department head or the City Manager.

All employees, members of the City Council, and the Mayor shall comply with the provisions of Texas Local Government Code §171 and Texas Penal Code Chapter §36 with respect to any gift or conflict of interest.

SECTION II – EMPLOYEE RESPONSIBILITIES

2.07 Political Activity

Employees of the City are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies. A City employee, except in course and scope of their employment and fulfillment of their job duties, may not:

1. Use his or her official authority or influence to interfere with or affect the result of an election or nomination for office; or
2. Directly or indirectly coerce, attempt to coerce, command, or advise a local or state officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political purpose; or
3. Be a candidate for election to the City of Jacksonville City Council.

According to the Hatch Act Modernization Act of 2012, City employees are prohibited from running for a partisan office if their salary is funded entirely by federal loans or grants.

All City employees are prohibited from participating in any way in any political activity while on duty or while wearing a City uniform.

In addition, no City owned property, vehicle, building, and/or office used exclusively for conducting the City's business may be used for conducting any political activity, except for the conduct of official elections. This does not apply to City owned facilities that are generally rented to the public. This paragraph shall not in any way limit an employee's right as a citizen to address the City council.

An employee's political activity, not in violation of this section, shall not be considered in determining his or her compensation, eligibility for promotion or demotion, work assignment, leave or travel request, or in applying any other employment practices to the employee. Likewise, no employee will be disciplined, terminated, or deprived of his or her employment rights for refusing to participate in such activities.

All employees shall notify their supervisor when seeking or accepting nomination or election to any public office that provides enumeration for the same. (Art. 16, Sec. 40, Constitution, State of Texas).

SECTION II – EMPLOYEE RESPONSIBILITIES

2.08 Communication

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

An employee may request a matter be considered by the City Council by submitting the item in writing to his or her supervisor who will forward the communication to the City Manager. Final decisions as to what is to be brought forward to the council from the staff are determined by the City Manager.

Communication with the public and the media about City issues or problems is the responsibility of the City Council, City Manager, and department head. Employees are to refer the public and the media to the City Manager or department head 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 from persons other than their immediate supervisor. In such cases, other than emergency situations, the supervisor desiring to utilize an employee from another department must notify the employee's supervisor about the directive, its purpose, and the relevant facts of the situation, and the employee's supervisor must authorize the work. Failure to do so in a timely manner may result in disciplinary action.

Members of City Council shall deal with City officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager. No individual member of City Council shall give directions or orders to any City officer or employee, either publicly or privately. Employees are authorized and requested to report any direction or order received from an individual member of City Council to a supervisor, his department head, or the City Manager.

SECTION II – EMPLOYEE RESPONSIBILITIES

2.09 Chain of Command

Individual City employees are responsible to their department head or City Manager or to a supervisor designated by the department head or City Manager. Department heads are responsible to the City Manager; the City Manager is responsible to the City Council as a whole. Directions regarding work to be done, expected results, and the adequacy of work performance will follow the chain of command (see Appendix A – Organizational Chart).

Any order by another supervisor, outside of the employee's department, to perform work by an employee must first be cleared with the employee's direct supervisor before the work proceeds.

If an issue or conflict occurs between supervisors, the supervisors must first attempt to work out the difference among themselves. If a solution can not be reached, then the issue may be taken to the department head/City Manager. Failure to adhere to this policy may result in disciplinary action.

SECTION II – EMPLOYEE RESPONSIBILITIES

2.10 Solicitation of Funds for City Projects

At times, projects may be undertaken whereby funds are solicited from private citizens, businesses, and organizations on behalf of the City. Before any solicitation of funds begins, the supervisor must notify and receive the approval of the City Manager. Participation on the part of any City employee in a fund-raising effort on behalf of the City is strictly voluntary and the employee shall not be penalized in any way in connection with his or her employment based on the response to a solicitation.

SECTION II – EMPLOYEE RESPONSIBILITIES

2.11 Tobacco Free

The City of Jacksonville municipal facilities, including all interior and exterior areas (City Ordinance No. 1418, § 3, 2-21-12), all City owned/leased facilities including all interior and exterior areas (City Ordinance No. 1418, § 3, 2-21-12), and all City owned/leased vehicles are Smoke Free including vaping.

2.12 Purchasing

Employees of the City will abide by the City of Jacksonville Purchasing Policy as adopted by the City Council. The Policy is attached as Appendix B.

SECTION II – EMPLOYEE RESPONSIBILITIES

2.13 Open Records

All records requests are to be submitted to the City Secretary upon receipt. The City Secretary is responsible for documenting and responding to these requests with the consultation of the City Attorney. Any correspondence or request from any attorney must be submitted to the City Manager and the City Attorney.

The Jacksonville Police Department may handle open records requests specific to law enforcement activities.

If a subpoena is received that is outside the normal scope of work the employee is to notify his/her department head immediately, and the department head is to notify the City Manager.

SECTION III – EMPLOYMENT PRACTICES

3.01 Methods of Recruitment and Selection

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

1. Promotion from within; or
2. Transfer from within; or
3. Public notice (including media announcement, internet web sites Texas Municipal League and International City Managers Association, Texas Work Force Commission and posting of notice for City employees) and competitive consideration of applications for employment.
4. Referral from a job training program; or
5. Selection from a valid current eligibility list of applicants. (A valid current eligibility list is a record of applications for the same or a similar position for which recruitment was conducted within the preceding 18 months.)

The City Manager determines the method of selection to be used in filling each vacancy. However, the City Council must have approved funding for a position before employment.

SECTION III – EMPLOYMENT PRACTICES

3.02 Public Announcements

When public announcements of position openings at the City are used, and competitive consideration will be given, the announcements are disseminated by HR in the manner most appropriate for the particular position being filled, as determined by the City Manager. Supervisors wanting to fill job vacancies from within their departments must submit relevant information about the position to the City Manager.

The length of time during which applications will be accepted will be determined by the City Manager or his/her designee in accordance with the circumstances that exist at the time.

SECTION III – EMPLOYMENT PRACTICES

3.03 Promotions/Transfers

Promotions are position changes to classes with higher maximum salaries. All City employees may apply for a promotion to a vacant position after six months of service. The City Manager reserves the right to waive the requirement. To be eligible for a promotion, an employee must meet the current minimum requirements for the vacant position. All promotions and transfers to a different department must be approved by the head of the outgoing department.

Temporary promotions may be authorized to ensure the proper performance of City functions if a position is vacant or the regular incumbent is absent. Temporary promotions are intended to be temporary and shall not be utilized to circumvent the established selection process.

A transfer is the assignment of an employee from one position to another position within the same salary/grade range. **All City employees may apply for a transfer after six months of service to a vacant position within or outside their current department.** The City Manager reserves the right to waive the requirement. To be eligible for transfer, an employee must meet the current minimum requirements for the vacant position. Supervisors may also initiate a transfer of an employee from one position to another as long as the employee meets the minimum requirements for the position.

An employee who transfers or promotes will be treated as a new hire and placed on probation and lose all seniority from the previous position.

SECTION III – EMPLOYMENT PRACTICES

3.04 Qualifications

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

SECTION III – EMPLOYMENT PRACTICES

3.05 Selection

In accordance with City Charter, the City Council appoints and may remove the City Manager, City Attorney, and Municipal Court Judge. Except for appointments reserved to the City Council by statute, or charter, the City Manager has exclusive authority to select and employ personnel within the limits of these policies and the City budget. The City Manager may authorize department heads to appoint and remove employees within their departments and within the limits of these policies and the City budget. Other supervisors may be asked for recommendations as appropriate.

Neither the City Council nor any of its members shall in any manner dictate the appointment or removal of any City employees whom the City Manager or any of his or her subordinates is authorized to appoint. However, the Council or its members may express freely to the City Manager their views and opinions on such matters. Vacancies on the City staff are filled on the basis of merit, whether by promotion or by initial appointment. Selections of the best qualified persons are made on the basis of occupational qualifications and job-related factors such as skill, knowledge, education, experience, and ability to perform the specific job.

SECTION III – EMPLOYMENT PRACTICES

3.06 Residency Requirements/Response Time

City residency is required by the City Manager as stipulated in the City Charter.

Employees designated as being “on call” must be able to respond quickly and to arrive at the City’s designated response site within the required time as specified by the departmental head. This time should not exceed 30 minutes, unless approved by the City Manager.

SECTION III – EMPLOYMENT PRACTICES

3.07 Application for Employment

When a specific vacancy exists, each person desiring employment with the City must submit a written application and other pertinent information regarding training and experience. To be valid, an application must be made on the City's official application form. Each person desiring employment with the City may obtain an application for employment from the HR department.

The City will make appropriate inquiries to perform a background check, which may include but are not limited to criminal history, education, experience, character, and required certificates and skills of an applicant prior to extending an offer of employment. A valid Texas driver's license is required and the City must check the prospective employee's driving record prior to offering the applicant employment with the City.

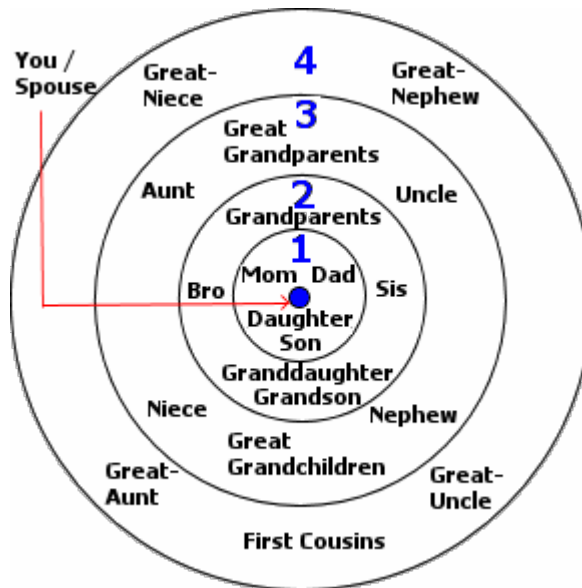
The City should retain each employment application for two years from the creation or receipt of the application. The police department will retain applications as per current governing standards.

SECTION III – EMPLOYMENT PRACTICES

3.08 Employment of Relatives (Nepotism)

Nepotism is the showing of favoritism toward a relative. The City forbids the practice of nepotism in hiring personnel or awarding contracts.

Hiring a person who is related within the second degree by affinity (marriage) or within the third degree by consanguinity (blood) to any full-time employee within the department, member of the City Council or to the City Manager is prohibited. **This does not include seasonal employees (e.g. lifeguards, special events personnel, etc.).**



SECTION III – EMPLOYMENT PRACTICES

3.09 Drug Testing

All prospective employees are required to pass a drug/alcohol test after a conditional offer of employment has been extended but prior to their first day of work. The offer of employment is contingent upon the prospective employee passing a drug/alcohol test. After employment, any employee may be required to submit to a test for drug dependency or illegal drug use. For more information on drug testing or drug usage, see the chapter of these policies on Drug and Alcohol Abuse.

SECTION III – EMPLOYMENT PRACTICES

3.10 Medical Records

All records relating to the medical condition, medical testing, or drug testing of an employee or prospective employee are maintained separately from employee personnel files. These medical files are confidential and will not be released to anyone without the written consent of the employee or as necessary to comply with any subpoena, judicial order, or legal process requiring the City to release such records.

SECTION III – EMPLOYMENT PRACTICES

3.11 Verification of Eligibility to Work

In order to comply with the Immigration Reform and Control Act of 1986, each new employee will be required to complete and sign an INS Form I-9 prior to employment confirmation to provide proof of his or her identity and employment eligibility.

SECTION III – EMPLOYMENT PRACTICES

3.12 Driving Record

Every City employee is required to possess a valid Texas driver's license and must maintain a safe driving record. The City will check a prospective employee's driving record. For this reason, any offer of employment will be contingent upon verification that the prospective employee has maintained a safe driving record.

SECTION III – EMPLOYMENT PRACTICES

3.13 Disqualification

An applicant is disqualified from employment by the City if he or she:

1. Does not meet the minimum qualifications for performance of the duties of the position involved;
2. Has knowingly made a false statement on the application form;
3. Has committed fraud during the selection process;
4. Is not legally permitted to hold the position;
5. Has offered or attempted to offer money, service, or any other thing of value to secure an advantage in the selection process;
6. Has not provided proof of citizenship or legal work status in the United States upon employment.
7. Fails drug screen test or criminal background check.

SECTION III – EMPLOYMENT PRACTICES

3.14 Orientation

Before an individual begins performing his or her actual duties, he or she normally will be given a brief orientation session, conducted through their respective department or as directed by the City Manager. The purpose of the session is to enable a new employee to understand his or her job better, as well as that job's relationship to the overall operation of the City.

During the orientation, employees are given a copy of the Personnel Policies and Procedures Manual. Employees are responsible for knowing and following the information contained in the personnel policies and must turn in a signed acknowledgment to this effect to the HR department.

SECTION III – EMPLOYMENT PRACTICES

3.15 Travel and Training

It is the City's goal to have access to training and public relations opportunities that will benefit the city. This is to be done where possible and feasible with respect to the demands of normal City operations. In pursuing training, representatives of the City will be given approval and expenses to attend professional conferences, conventions, short schools, visit with other cities, and otherwise incur expenses for the benefit of the City in accordance with this and other applicable policies of the City of Jacksonville.

DESCRIPTION:

Since staff, elected officials, appointed board and committee members, and other representatives are frequently required to travel, attend local meetings, or otherwise incur expenses in the interest of the City, it is necessary to establish standard regulations governing the financing of such expenses. To provide uniformity in the handling of requests and to establish proper accounting for approved expenditures, the following procedures will be followed by all City representatives.

1. **AUTHORIZATION:** The City will pay actual reasonable related expenses that are incurred in the course of authorized City business meetings and trips. Prior approval is required as part of the travel and training expense procedure. Travel and training approved per position in the budget can be approved at the department level. In the event that travel is conducted without prior approval, the City representative may be responsible for all expenses incurred. Travel for the purpose of teaching, presenting, or facilitating at a professional conference or other organization, or serving on boards or committees is limited to three days per calendar year without City Manager approval, regardless of whether or not there is a cost to the City.
2. **TRANSPORTATION:** While the circumstances surrounding each trip will be different and, in some cases, may dictate otherwise, representatives are advised to use City vehicles as often as possible. This is especially true for trips of long duration involving several representatives. The following guidelines are to be observed:
 - a. **Commercial Airlines:** The City will pay only for air coach tickets. Any other air travel will be reimbursed at the coach rate. (*Air travel will be based on cost and time involved versus ground travel.*) City representatives should take advantage of discounts whenever possible.
 - b. **City Vehicles:** City vehicles will be used by all employees when an appropriate vehicle is available according to the City policy. Expenses of normal vehicle use will be paid by the City.

All city representatives using city owned vehicles must follow all relative state laws, City policy and departmental policy at all times while the vehicle is in use.

- c. **Personal Vehicles:** Whenever possible, a City vehicle should be used for City business, however, with the approval of the employee's supervisor and the City Manager employees may use their personal vehicles for out of town travel. The City will pay a per mile rate based on the amount authorized by the Internal Revenue Service Code when travel exceeds 75 miles (one way) outside the city or when traveling to any county contiguous with Cherokee County, whichever is greater. Mileage will be limited if an employee chooses to drive when air travel would have been cheaper/timelier.
 - d. **Taxis and Car Service:** The City will reimburse a representative's taxi, car service, and bus fares for required transportation.
 - e. **Vehicle Rental:** The City will not pay for rented vehicles without the approval of the representative's manager or the City Manager.
 - f. **Parking:** The City will pay for airport (off site) parking required while a representative is out of town. While at the destination, the City will also pay required parking fees for personal vehicles, City, or rented vehicles.
3. **LODGING:** To be eligible for City funds, lodging must be over 90 miles from the City, unless approved by the City Manager. Consideration should be made regarding the beginning and ending of the conference or training and the distance and time required to travel back to the City. Reasonable lodging expenses will be allowed for all representatives when they are representing the City on official business away from Jacksonville. Receipts for lodging must be provided in order to obtain reimbursement and should show a detailed breakdown of all charges incurred on a daily basis. Personal items should be marked "personal" and are the sole responsibility of the City representative.
 4. **OTHER EXPENSES:** Certain expenses will be allowed by City representatives when they are representing the City on official business:
 - a. **Registration Fees:** Representatives will be reimbursed for fees charged for registration at conferences or meetings.
 - b. **Entertainment:** The City of Jacksonville will not reimburse representatives for entertainment unless it is specifically related to the purpose of the trip and/or event and receives prior approval.

5. **REIMBURSEMENT:** Following a trip, representatives must account for travel expenses within 10 business days. City representatives must use the required forms for reimbursement and the department head and must approve the request prior to submission. Expenses related to functions where City business is transacted or discussed, may be approved for reimbursement by the employee's department head and City Manager. Travel Reimbursement forms will provide a detailed description of the trip. Personal charges made to a City credit card are prohibited and must be reimbursed within five business days if a charge is found to be ineligible as a City expense. Participation in local community events (e.g. Chamber) shall be reviewed and if determined appropriate, may be approved for reimbursement by the City Manager.

The City will reimburse travel expenses within 10 working days of receipt of approved travel expense form. The policies regarding reimbursement will apply to purchases made on a City credit card. If a detailed receipt is not submitted for a credit card purchase, the City representative will be responsible for reimbursing the City the relevant funds.

6. **MEALS & INCIDENTALS:** City representatives will be reimbursed for actual receipts (including gratuity) or the City will pay for meals when traveling overnight on City business. All itemized receipts must be submitted for reimbursement.

Meal Guidelines:

- \$12.00 – Breakfast (*depart by 6:00 a.m. from City Hall or representative residence in the area*) Meal must be purchased at least 60 miles away from Jacksonville.
- \$15.00 – Lunch
- \$25.00 – Dinner (*return after 7:00 p.m.*) Meal must be purchased at least 60 miles from Jacksonville.

Representatives should use the guidelines to base meal cost. These guidelines are for each meal and should not be combined as a total per diem. The City will reimburse a maximum of 20 percent gratuity. Consideration will be given based on location/hotel. When a meal is provided with a registration fee or provided at the hotel, that meal shall not be eligible for City funds unless approved by the City Manager.

7. **ADDITIONAL NON-REIMBURSABLE EXPENSES:** In addition to those expenses outlined above, expenses related to personal property, alcoholic beverages, travel insurance, family expenses, and other items not mentioned above and not related to City business will not be reimbursed.

8. **OVERTIME CONSIDERATION:** An employee attending a *REQUIRED** training session may be eligible for overtime compensation if actual time spent in classes attended causes a non-exempt city employee to exceed 40 hours worked in a normal work week. Travel time may be considered as time worked if travel is done during normal work hours and is necessary for the conference. All overtime/worktime issues should be resolved with the employee's supervisor prior to the trip.

** Required is defined as training that is mandated to maintain an employee's certification or license issued by a regulatory agency. The certification/license must be used in the daily duties of the employee. Mutually beneficial training will not be eligible for overtime. Department heads may request overtime compensation with the approval of the City Manager for travel that the department head feels is required for the operation of their department.*

9. **ATTENDANCE REQUIRED:** Representatives of the City granted special leave and expenses to attend professional conferences; conventions and short schools are expected to attend a significant portion of the functions. Failure to attend significant or assigned portions of the session could result in reimbursement to the City for all expenses and/or termination of employment.
10. **EXCEPTIONS:** Exceptions to the policies outlined above are to be made only in the event of unique circumstances and only if the best interests of the City are served. The City Manager shall determine whether or not to approve such exceptions.
11. **EXPENSE AUTHORIZATION:** Managers may approve travel expense reports for their departments. The City Manager shall be responsible for approving all other travel expense reports.

SECTION III – EMPLOYMENT PRACTICES

3.16 Outside Employment

Outside employment may present conflict of interest situations and may cause absence, fatigue, or inefficiency. Should you wish to engage in other employment while employed as a full-time regular employee with the City of Jacksonville, you must obtain approval from the respective department head or the City Manager, and the following guidelines must be followed:

1. The nature and scope of the outside employment must be disclosed in writing to the supervisor, including work schedule, job duties, and any anticipated impact the additional job might have on the position with the City of Jacksonville.
2. Work requirements with the City of Jacksonville, including overtime, must take precedence over any outside employment.
3. Outside employment must not adversely affect job performance with the City of Jacksonville, nor must it present a conflict of interest.

If any guidelines are not followed, disciplinary action to include immediate termination may occur.

Police and Commissioned Fire protection personnel

All outside employment must be approved by the police or fire chief via the chain of command of the respective departments.

SECTION IV – TYPES OF EMPLOYMENT

4.01 Categories of Employment

At Will Employment

Employment at the City of Jacksonville is at will and can continue until terminated by either the City or the employee, with or without cause. Either the City or the employee may end the relationship with or without prior notice or cause. No written or oral representation by the City of Jacksonville personnel will create a contract of employment. No employment practices of the City are intended to create a contract of employment. No changes in the City's employment-at-will policy will be effective unless approved by the City Council and executed in writing and signed by the City Manager and the Mayor.

Probationary Period

All employees serve an initial six-month probationary period, which, at the City's discretion, may be extended for a period not to exceed 12 months. Police department employees will serve a probationary period of one year. Termination of employment during this probationary period is final with no appeal. All employees shall receive an evaluation discharging them from probation.

Full-Time Employee

Full-time employees are employed in authorized regular positions that would normally work more than 1,000 hours annually. Regular full-time employees may be either exempt or non-exempt and are eligible for the City's benefits package to the terms, conditions, and limitations of each benefit program.

Part-Time Employee

Part-time workers must typically comply with the same company rules, policies and procedures as full-time employees, including working regular stated hours. Part-time workers are those who are employed for no more than 20 hours per week or who work less than 1,000 hours annually. Most part-time workers are paid on an hourly basis and are not entitled to City benefits, such as extended vacations, retirement, health insurance, and other benefits.

Temporary/Seasonal Employee

A temporary or seasonal employee is an employee hired for a period of time normally specified in advance that is expected to last less than six months. Temporary employees only receive those benefits that are mandated by law, such as social security and workers compensation.

Assigned Employment

Assigned employment is a staff member who is assigned to the City but is paid by another governmental entity or private organization and not considered employees of the City. These employees' benefits are specific in the contract for services. Assigned staff are governed by all terms of these policies not in conflict with their contract for services.

Non-exempt

A non-exempt employee is one whose compensation is covered under the overtime pay provisions of the Fair Labor Standards Act (FLSA). All overtime will be compensated at one-half (1½) times the employee's regular rate for all hours worked over 40 hours in one work week.

Fire protection personnel, who work shift work, shall be compensated for such overtime hours at the rate of one and one-half (1½) times their regular hourly rate of pay for all hours physically worked, plus any paid time off, in excess of 106 hours in a 14-day work cycle as defined in the FLSA (29 USC §207(k)). A seven-day work cycle applies to fire protection personnel not working shift work.

Exempt

An exempt employee is considered exempt from overtime pay provisions of the FLSA and is expected to render necessary and reasonable services up to and beyond 40 hours per week. Exempt employee salaries are set with this consideration in mind. Exempt City employee's job descriptions/duties most often are distinguished from non- exempt roles.

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.01 Pay

Pay for City employees' is set each year by the City Council in the adopted City operating budget. Employees will be paid in accordance with the City's comprehensive compensation plan, which may include one or more schedules, approved by the City Council.

Salaries for regular status full-time employees are set and published at an annual basis. However, hourly rates are used in the actual calculation of payroll for non-exempt employees.

The formula for calculating hourly rates for all employees other than commissioned fire protection personnel is as follows:

- ❖ Annual salary divided by 2,080 hours (regular work hours per year)
- ❖ Payroll = Hourly rate x 80 hours in pay period
- ❖ Example: Annual rate = \$25,000
 - Hourly rate = $\$25,000 / 2,080 = \12.02
 - ◆ Payroll = Hourly rate x hours worked = $\$12.02 \times 80 = \961.60

The formula for calculating hourly rates for commissioned fire protection personnel is as follows:

- ❖ Annual salary divided by 2,880 hours (regular work hours per year)
- ❖ Payroll = Hourly rate x 106 hours in pay period
- ❖ Example: Annual rate = \$25,000
 - Hourly rate = $\$25,000 / 2,880 = \8.68
 - ◆ Payroll = Hourly rate x hours worked = $\$8.68 \times 106 = \920.08

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.02 Paydays and Work Cycles

The pay period for non-exempt employees is bi-weekly; checks are issued every two weeks on Friday for each 14-day period. Exempt employees are paid either (i) on the 15th and 30th of every month (except February) or (ii) bi-weekly. If the payday falls on a holiday, checks will be issued on the last work day preceding the holiday.

The work cycle for non-exempt personnel, not including commissioned fire protection personnel, is seven days beginning on Saturday at 12.01 a.m. and ending on Friday at midnight. On call schedules may differ based on the approval of the department head and the City Manager.

The work cycle for commissioned fire protection personnel is 14 days, beginning on Wednesday at 7:00 a.m. and ending on Wednesday at 7:00 a.m.

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.03 Direct Deposit/Regular Paycheck

The City encourages employees to enroll and elect to have their paychecks deposited into financial institutions of their choice. Regular paychecks (or paystubs if direct deposit is chosen) will not be issued other than on the days set forth in section 5.02. The City will do everything in its power for employees participating in the direct deposit program to have funds available by the morning on which the payday falls.

No salary advances or loans against future salary will be made to any employee for any reason.

An employee must bring any discrepancy in a paycheck (such as overpayment, underpayment, or incorrect payroll deductions) to the attention of the appropriate supervisor, who will notify the payroll/finance department within three pay periods or 45 days.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the payroll department and their immediate supervisor so corrections can be made as quickly as possible. If the employee has been underpaid, the City of Jacksonville will pay the employee the difference as soon as possible. If the employee has been paid in excess of what he or she has earned, the employee will need to return the overpayment to the City immediately or in the same amount of time the employee was overpaid (example: if employee was overpaid during three payroll periods, the employee has three payroll periods to repay the amount owed to the City.) No employee is entitled to retain any pay in excess of the amount he or she has earned according to the agreed-upon rate of pay. If a wage overpayment occurs, the overpayment will be regarded as an advance of future wages payable and will be deducted in whole or in part from the next available paycheck(s) until the overpaid amount has been fully repaid.

Back pay will only be paid for a maximum of 45 days.

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.04 Payroll Deduction

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

- Federal Social Security
- Federal income taxes
- Medicare
- Texas Municipal Retirement System (TMRS) contributions (for full-time and covered part-time employees)
- Court-ordered child support
- Any other deductions required by law
- Any other deductions as approved by the City Manager and/or City Council

In accordance with policies and general procedures approved by the City Council, deductions from an employee's pay may be authorized by the employee for:

- Group health/medical/dental/life insurance for employees and dependents
- Monthly dues for police officer membership in TMPA or CLEAT
- Monthly dues for associations directly related to the employment at the City of Jacksonville
- Such other deductions as may be authorized by City Council or City Manager

If there is a change in the employee's family status, address, or other factor affecting his or her payroll withholding or benefit status, the employee is responsible for obtaining, completing, and returning to the HR department the appropriate forms for communicating these changes.

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.05 Classification Plan

Each position is assigned to a pay grade based upon the principle of equity among positions requiring similar knowledge, skills, and abilities and having similar levels of responsibility, as well as market factors.

Pay ranges for each pay grade are established by a Compensation Plan, which is recommended by the City Manager and approved by the City Council.

Within the general guidelines of the compensation plan and the budget, the City Manager is authorized to determine the appropriate pay grade to which each position is allocated and the pay to which the particular employee is assigned.

A step raise is advancement to a higher salary in the same pay grade and is granted to recognize good performance and years of service in the same position. An employee is considered eligible for step raises once a year, on the employee's anniversary date, provided the employee is in good standing. Step raises are effective on the first day of the month regardless of the employee's anniversary date in that month. However, the step raise will not be implemented unless the employee has worked at least one full week of the pay period.

Employees on disciplinary probation or that have received a performance evaluation indicating that their job performance is below acceptable standards will not receive a step raise until such time as the probationary period has ended and/or their performance has risen to a level designated as meeting standards.

A step raise cannot increase an employee's salary beyond the maximum for the pay grade of the position. The current step raise schedule is incorporated into the pay schedule of the compensation plan.

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.06 Classification and Pay Administration

A new employee is normally hired at the entry rate of the pay grade to which the position is assigned. A new employee may not be hired above the entry rate without specific written approval from the City Manager.

Hiring below the entry rate should not be used for current employees who meet all of the job qualifications but only for those whose qualifications fall short of the job's stated requirements and who may take a longer than normal time to meet the job requirements fully.

If an employee is hired below the appropriate rate, the employee's performance will be evaluated after six consecutive months employment (12 months for police personnel), and a determination will be made by the employee's supervisor as to whether:

1. The employee's salary should be increased to the appropriate rate for the pay grade;
2. The employee's salary should remain below the appropriate rate for an additional period of up to 90 days; or
3. The employee should not be retained in the position.

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.07 Cost-of-Living Adjustments

During budget preparations for the upcoming fiscal year, the City Council may authorize a cost-of-living pay increase.

When cost-of-living adjustments to the pay schedule are approved by the City Council, the entire pay schedule is increased by a specific percentage to reflect the adjustment automatically. Each employee will remain in the same grade and step previously assigned, but the salary for that grade and step will have been increased by the approved amount. In the event that an employee's salary exceeds the maximum range, a cost-of-living adjustment will be given only if necessary, to maintain that employee's salary at the new maximum.

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.08 Longevity Pay

Longevity pay is additional pay paid at the rate of \$4.00 per month per year of service with the City to regular full-time employees. Longevity pay begins at the end of the first full year of employment and increases each year up to a maximum of 25 years of service. Longevity pay is paid monthly and includes all months for any partial year of service up to that date.

If the City Manager exercises the option to issue longevity pay as a one-time lump sum payment, employees must be employed in December to be eligible. Longevity pay will not be paid nor pro-rated if employment is separated before the longevity payment is issued.

Any longevity pay is subject to approval of the City Council during approval of the annual City budget.

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.09 Certification Pay/Education Pay

Eligible regular full-time employees may receive additional compensation per month for a qualifying certificate, license, or degree obtained above the “basic level” within their respective professions or occupations. Department heads are eligible for certificate/education pay unless otherwise stipulated.

The amount of certificate/education pay shall be determined as part of the annual budget and will be a separate pay code and not included in the employee’s regular rate of pay. To qualify for the certificate/education pay program, certificates and degrees must not be a job requirement for the employee’s present position. Certificates or licenses must be obtained from appropriate state certification or licensing agencies and/or recognized professional associations performing a similar certification or licensing function for personnel in the applicable profession and must be maintained in an active status. Certificates or licenses also must be directly related to the employee’s present job duties and functions.

Degrees must be received from an institute of higher learning with accreditation by one of the following:

- AACSB – Association to Advance Collegiate Schools of Business
- MSA – Middle States Commission on Higher Education
- NASC – Northwest Association of schools and of Colleges and Universities
- NCA – Higher Learning Commission of North Central Region
- NEASC – New England Association of Schools and Colleges
- SACS – Southern Association of Colleges and Schools
- WASC – Western Association of Schools and Colleges

Professional certifications and educational incentives will both be paid. Certification and education pay are given as listed below. **The maximum for any combination of certificates/education is \$400 per month.**

Certificate	Certification Pay (monthly)
Police Department	
Intermediate Peace Officer	\$50.00
Advanced Peace Officer	\$75.00
Master Peace Officer	\$100.00
CID Shift Differential	\$200.00
Patrol Shift Differential	\$175.00
Communications Shift Differential	\$175.00

Fire Department

Intermediate Firefighter	\$25.00
Advanced Firefighter	\$75.00
Master Firefighter	\$100.00
Intermediate EMT	\$75.00
Paramedic	\$300.00

Public Works

Water/Wastewater - Class C	\$50.00
Water/Wastewater - Class B	\$75.00
Water/Wastewater - Class A	\$100.00
Water/Wastewater - Class Double B	\$125.00
Water/Wastewater - Class A & B	\$150.00
Water/Wastewater - Class Double A	\$150.00

All Full-Time City Employees

Associates Degree	\$75.00
Bachelors Degree	\$125.00
Masters Degree	\$300.00
Bilingual Pay*	\$150.00

*Specific to Spanish and must be used in the course of performing duties in the regularly assigned position to communicate with residents or business owners.

5.10 Car Allowance

It is the intent of the City of Jacksonville to provide a vehicle allowance for specified employees who, in the normal course of their assigned duties, routinely require the use of a vehicle for business purposes. Authorized employees will be provided an allowance as set by the City Council. This vehicle allowance is a taxable benefit under IRS guidelines and will be addressed annually during the budget process. Should the employee lose his or her driving license no monetary allowance shall be paid. The allowance is provided at the discretion of the City Manager and/or the City Council.

Responsibilities of the employee:

- Maintain legally required insurance;
- Provide for registration and inspection;
- Provide for fuel;
- Provide for necessary repairs and maintenance;
- Maintain vehicle in clean and neat condition;
- Provide alternate transportation which meets the above requirements during any repairs, replacement of primary vehicle;
- Employee assumes all liability and the City has no responsibility for any additional costs of the vehicle, its operation, or passengers.

The vehicle must be appropriate for business purposes and in keeping with the image the City of Jacksonville seeks to present. The allowance may be discontinued if the City Manager and/or Council deem the vehicle inappropriate.

The allowance may be discontinued if the employee is suspended or on extended leave for any reason. The City of Jacksonville will pay mileage for the use of a vehicle covered by a car allowance if the travel meets the requirements set forth in this policy manual or is approved by the City Manager. Mileage shall be paid if traveling to counties contiguous to Cherokee county or more than 75 miles one way, whichever is greater.

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.11 Promotions

A promotion is a change in the duty assignment of an employee which results in advancement to a position requiring higher qualifications and involving greater responsibility, additional authority, and a pay increase. This would not apply to lateral transfers within the City to like positions.

5.12 Interim Status Pay

Any employee who is temporarily assigned to serve and serves in a higher-level position (if open FTE position) may be compensated for the additional duties and responsibilities of the higher position. Pay will be increased as determined by the City Manager or City Council. The employee must be qualified to perform and must perform the range of duties of the higher position required during the temporary assignment in order to be eligible for the additional compensation. After assignment the employee will return to the original pay after the temporary assignment has ended.

5.13 Step-up Pay

For commissioned fire protection personnel filling the absence of a higher-ranking position (lieutenant or captain), step-up pay is provided at the base pay rate for the higher position and is paid for the hours physically worked in the higher position.

5.14 Lateral Transfers

A lateral transfer is the movement of an employee between positions in the same level of pay within the City. Lateral transfers may be made within the same department or between departments of the City. If a position is reclassified but remains assigned to the same pay grade, no pay adjustment will take place.

5.15 Incentive Pay

Employees are eligible to earn incentive pay, or pay above and beyond an employee's normal salary. This is based on an approved budgeted amount and City Manager approval. This pay is a one-time payment and is not reflective in an employee's annual salary. Eligibility for incentive pay is dependent on meeting any of the requirements listed below:

1. Saving the City an amount of money management deems worthy of additional compensation.
2. Developing an operational improvement that improves efficiency, saves money, etc.

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.16 Demotions

A demotion is a change in duty assignment of an employee to a lower paid position with less responsibility. Demotions may be made for the purpose of voluntary assumption of a less responsible position, as a result of a reclassification of the employee's position, as a disciplinary measure, or because of unsatisfactory performance in a higher position. A demotion may involve a decrease in pay.

If a position is reclassified downward because of changes in the City's needs and not because of a performance problem on the part of the employee, every attempt will be made to maintain the employee's salary at its prior level. However, if the reclassification is made because of an employee's performance problems, the employee's pay must be adjusted downward by at least the equivalent of a one-step decrease to reflect the revised duties.

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.17 Overtime

Non-exempt personnel may be required to work hours in excess of their official established hours when necessary as determined by their supervisor or the City Manager. Employees are expected to respond to a reasonable request to work extra hours and may be subject to disciplinary action for failing to stay or report for such hours.

Non-exempt employees performing work at any time other than scheduled working hours is strictly forbidden unless authorized in writing by the employee's supervisor. Prior to working on such occasions, employees must verify such hours with their supervisors to make certain that overtime is or will be authorized. Non-exempt employees shall not perform work for the City outside their regular scheduled work hours on a voluntary basis.

Non-exempt civilian employees receiving overtime pay shall be compensated for such overtime hours at the rate of one and one-half (1½) times their regular hourly rate of pay for hours physically worked at the direction of City management plus any paid time off in excess of forty (40) hours per week, with time rounded to the nearest quarter of an hour. Any time less than one-quarter hour shall not be compensable. Should an employee be directed to work extra hours by his/her supervisor in the same period they use paid time off (PTO), those hours will be compensated as overtime pay. The only time that is considered hours worked and is included in calculations of overtime pay is PTO. Holiday time, bereavement, jury duty or any other time "given" to an employee is not considered hours worked for the purpose of overtime pay calculations.

Fire protection personnel who work shift work receiving overtime pay shall be compensated for such overtime hours at the rate of one and one-half (1½) times their regular hourly rate of pay for all hours physically worked plus any paid time off in excess of 106 hours in a 14-day work cycle as defined by FLSA (29 USC §207(k)). A seven-day work cycle applies to fire department personnel not working shift work.

Sworn law enforcement personnel receiving overtime pay shall be compensated for such overtime hours at the rate of one and one-half (1½) times their regular hourly rate of pay for all hours physically worked plus any paid time off in excess of 80 hours in a 14-day work cycle as defined by FLSA (29 USC §207(k)).

If an employee works on a holiday when they would otherwise be scheduled off, the employee will be compensated at the overtime rate in addition to receiving holiday pay.

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.18 Final Pay

Upon termination of employment, departing employees will be paid for all unused PTO which was accumulated at the time of termination. Uniforms, keys, vehicles, and other City-owned equipment must be returned in good condition to the City Secretary prior to the separation. If a terminating City employee fails to return City-owned equipment or property to the City before his/her final paycheck is issued, the value of the property or equipment will be deducted from the final pay with the balance of the final check to be paid after the employee returns the equipment or property to the City. Authorized deductions, which include appropriate withholding taxes, retirement system contributions, etc., will also be withheld from the departing employee's final paycheck.

Employees who depart prior to the completion of the six-month probationary period (or 12 months if the probationary period is extended). Police personnel who depart prior to the completion of the 12-month probationary period shall not receive payment for unused paid time off.

Final paychecks shall be issued on the next normal pay date for employees who resign or retire. Final paychecks for employees who are terminated shall be issued as required by law.

SECTION V – EMPLOYEE COMPENSATION AND ADVANCEMENT

5.19 Approving Authority

The City Manager is the approving authority for all payrolls and for any pay increases, decreases, or payroll transfers granted under the terms of these policies, the classification and pay grade schedule or the annual budget.

SECTION VI – WORK SCHEDULE AND TIME REPORTING

6.01 Hours Worked

City business hours are Monday through Friday, 8:00 a.m. to 5:00 p.m. Employees may receive up to one hour for lunch each work day subject to the requirements of their position.

Adjustments to the normal hours of operation of City facilities or departments may be made by the City Manager in order to serve the public better. City offices remain open during the lunch hour so employees will stagger lunch hours in order to serve the needs of the public.

Employees are expected to report punctually at the beginning of each work day and are expected to work the full schedule as established.

Alternative work schedules must be approved by the City Manager. For shift personnel working in the police or fire department (commissioned fire protection personnel and EMS staff), shifts are set by the respective chiefs of each department. Parks and other community services personnel shall work shifts as warranted by summer hours.

SECTION VI – WORK SCHEDULE AND TIME REPORTING

6.02 Overtime Worked

Nonexempt personnel may be required to work in excess of their regular work hours when necessary, as determined by their Supervisor or the City Manager. Employees are expected to respond to a reasonable request to work extra hours and may be subject to disciplinary action for failing to stay or report for those hours.

Unless exempt, employees performing work outside their regularly scheduled hours, including taking work home, must be authorized to do so by the City Manager through the normal chain of command. Non-exempt employees will not perform their regular work duties off the clock and without compensation on a voluntary basis.

Nonexempt employees receiving overtime pay, not including commissioned fire protection personnel, shall be compensated for such overtime hours at the rate of time and a half, or (1^{1/2}) times their regular rate of pay for hours physically worked plus any PTO taken in excess of 40 hours per work week, rounded to the nearest quarter hour. Any time less than a quarter hour is not compensable. However, certain roles or departments may have special guidelines so each employee is responsible for checking with their supervisor for departmental rules.

Law enforcement personnel receiving overtime pay shall be compensated for such overtime hours at the rate of time and a half, or (1^{1/2}) times their regular rate of pay for hours physically worked plus any PTO taken in excess of 80 hours per work cycle, rounded to the nearest quarter hour.

Commissioned Fire protection personnel receiving overtime pay shall be compensated for such overtime hours at the rate of time and a half, or (1^{1/2}) times their regular rate of pay for hours physically worked plus any PTO taken in excess of 106 hours per work cycle, rounded to the nearest quarter hour. PTO is considered to be “hours physically worked” for purposes of calculating overtime. Human Resources, under the direction of the City Manager, is responsible for determining the exempt/nonexempt status of positions in accordance with guidelines established by the FLSA.

SECTION VI – WORK SCHEDULE AND TIME REPORTING

6.03 Holidays Worked

All employees will receive eight hours holiday pay for all specified City holidays. Those employees required to work on paid holidays will be paid at their regular rate for actual hours worked. Holiday pay is not considered hours worked and does not figure into overtime calculations.

If an employee works on a holiday when they would otherwise be scheduled off, the employee will be compensated at the overtime rate in addition to receiving holiday pay.

SECTION VI – WORK SCHEDULE AND TIME REPORTING

6.04 Leave Taken and Overtime

If a full-time employee who is subject to the overtime provisions of FLSA is required to work extra hours during a week in which they have used PTO or any other type of released time (other than holiday time), they will be given time and a half (1^{1/2}) or pay at the time and a half rate of pay for the extra hours worked. If the extra hours worked are greater than the number of leave time hours taken, the employee will be compensated at time and a half (1^{1/2}) times the regular rate of pay for the number of extra hours worked which were not offset by the leave time hours taken.

SECTION VI – WORK SCHEDULE AND TIME REPORTING

6.05 Time Reporting

Employees will keep records of all hours worked, PTO, and other time by policy manual, where appropriate, and hours credited to particular projects.

Time is reported to the nearest quarter hour. Time records must be submitted by the employee and reviewed/approved by the supervisor.

Altering, falsifying, tampering with time records, or recording time on another employee's timesheet will result in termination of employment.

Each supervisor is responsible for ensuring all hours worked and leave time taken is recorded.

SECTION VI – WORK SCHEDULE AND TIME REPORTING

6.06 On Call Time

Certain City services require some employees to be in an “on call” status during evenings, weekends or holidays.

An employee in an “on call” status will be provided a City cell phone and is required to respond within 30 minutes of a call being placed. When called to duty, the employee is paid time and a half the regular rate of pay for the number of extra hours worked if their hours exceed the allowable number of hours under FLSA as stated in the Overtime Worked section of this manual.

When an on-call employee is required to report to duty, they will receive a minimum of one-hour compensation at the time and a half rate. Any time beyond the two hours minimum will also be paid at the time and a half (1^{1/2}) rate of pay if FLSA requirement.

SECTION VI – WORK SCHEDULE AND TIME REPORTING

6.07 Office Closings in Emergencies

Short-term emergency closings of City offices/departments may arise due to unexpected inclement weather, prolonged power failure or other emergency situations. After the City Manager communicates with supervisors or their designees, closings will be communicated to employees. If an event occurs during non-working hours which necessitates the closing of City Hall or a specific department(s) communication will occur in the same manner.

Employees whose jobs are critical to public safety may be required to work during an official closing. If so, they must report for duty. Employees may be subject to disciplinary action for failing to report to work.

In the event City offices are closed for emergencies, employees scheduled to work will be paid for their normal scheduled hours during the closing. If an employee is scheduled to be on PTO at the time City offices are closed, they will still be required to take PTO. If City offices are open but an employee is not able to get to work, they will be required to utilize PTO.

SECTION VII – BENEFITS

7.01 Medical, Dental and Life Insurance

The City of Jacksonville provides a competitive benefit program for its eligible employees, including medical, dental, life, and accidental death and dismemberment. The actual terms of the coverage are as described in the individual summary plan documents. The summary provided below is only to inform employees of the general benefits and procedures in a more concise manner. The terms of the coverage, including the percentage of the premiums that the City pays for employees and eligible dependents are subject to change, as determined by the annual budget and approved by the City Council.

Full-time employees of the City of Jacksonville are eligible for health, life, accidental death and dismemberment, and dental benefits. New employees will be advised of group health and dental insurance plan options, dependent coverage availability as well as current premium costs and will be enrolled in such plans during orientation. Employees and their eligible dependents will usually be covered after being employed full-time for 60 days; this may be waived by the City Manager. Coverage will begin on the first day of the following month. Employees will be allowed to make changes to their medical, dental and life insurance plans only during the annual enrollment period, or if the employee has a qualifying event.

SECTION VII – BENEFITS

7.02 Retirement

The City of Jacksonville City Council adopted Ordinance No. 0-03-017, authorizing the participation and *mandatory* enrollment in the TMRS of all City employees in a position that normally requires 1,000 or more hours per year, effective October 1, 2003.

TMRS was established in 1948 and is administered in accordance with the Texas Municipal Retirement System Act (Texas Government Code, Title 8, Subtitle G). TMRS is a qualified retirement plan under Section 401 of the Internal Revenue Code.

The plan requires a contribution be made by the City and the employee. The employee's contribution is made by means of a payroll deduction and is tax deferred.

Vesting occurs when an employee has made deposits into TMRS for five years. Employees may retire with TMRS benefits after five years of service at age 60; or at any age if the employee has 20 or more years of service.

If an employee should die while still in the City's employment, TMRS provides a death benefit to the employee's beneficiary approximately equal to the employee's current annual salary. Retirees are provided a death benefit in an amount set by TMRS.

If an employee's employment with the City terminates and he/she is not eligible to retire or not vested in the retirement system, the employee's retirement contributions may remain in an inactive account no longer than five years. An employee must apply for a refund of his/her contributions before the end of the five years from the time of termination. The refund includes the employee's contributions as well as any accrued interest, less an amount of 20 percent for deferred tax.

SECTION VII – BENEFITS

7.03 Workers' compensation

Employees of the City are covered by the workers' compensation insurance program, and the City pays the premium. This coverage provides medical and salary continuation payments to employees who receive bona fide, on-the-job, work related injuries. If an employee has a financial hardship while on workers' compensation, the employee can apply for supplemental pay through HR or the City Manager.

NOTICE TO EMPLOYEES CONCERNING WORKERS' COMPENSATION IN TEXAS

The City maintains workers' compensation insurance coverage to protect employees in the event of work-related injury or illness. An employee or a person acting on the employee's behalf must notify the City of an injury or illness within 24 hours after an injury occurs or the date the employee knew or should have known of an illness, unless the Texas Department of Insurance, Division of Workers' Compensation determines that good cause existed for failure to provide timely notice. The City will provide employees with coverage information, in writing, when hired or whenever the City ceases to be covered by workers' compensation insurance.

Workers' compensation is the sole remedy for an employee who suffers a work-related injury or illness.

SECTION VII – BENEFITS

7.04 PTO Donation

Circumstances may arise that may cause an employee to utilize all accrued PTO. PTO donations allows employees to donate accrued PTO to other employees. Donations may only occur between employees of equal or lower pay scale and employees may receive up to 40 hours in a calendar year; up to 60 under special circumstances as granted by the City Manager. During the first year of implementation of the PTO Donation Policy, eligible employees shall have donated to the sick pool in the current year. Thereafter, eligible employees shall have donated to the sick pool in the current and previous year.

Donors may donate a maximum of 16 hours in a calendar year and must not be on the verge of maximum leave accrual. Any donations which may be in range of achieving maximum accrual shall be reviewed by the City Manager.

Employees who donate PTO acknowledge donated time is used at the discretion of the employee receiving the time and as such, shall have no claim to future accrued time of recipient nor any right to chastise the employee for how such time is utilized. Recipients shall not be paid for unused donated time upon separation of employment.

PTO may be donated at any time based on a requested need. Needs shall be presented to the employee's department head who shall present the need to other department heads to disperse the information to employees.

SECTION VIII – TIME OFF

8.01 Holiday Leave

The City of Jacksonville recognizes national holidays and pays all full-time regular employees for a number of such days each year. You are not eligible for holiday pay if you are classified as a part-time employee.

The official calendar is adopted annually by the City Council and the Council announces the holiday schedule for the respective year. For information concerning specific holiday dates that apply for the current year, consult your supervisor.

In order to receive holiday pay, you must be on the job the workday preceding and the workday following the holiday, unless you are on approved scheduled PTO. Holidays that occur during scheduled PTO will not be counted as PTO.

Reasonable accommodations will be granted for you to take time off to observe religious holidays if such accommodation does not cause undue hardship to the City. If available, PTO may be used for this purpose, otherwise the time off is without pay. Such requests should be directed to and approved by your supervisor.

If you are classified as a full-time non-exempt employee and you are required to work on the holiday, you will be paid for actual hours worked on the holiday in addition to eight hours holiday pay. Holiday pay is not considered time worked and does not figure into overtime calculations.

If you are an exempt employee and work on a paid holiday, you will be granted a day off in place of the holiday worked. This day must be scheduled and taken no later than 30 days from the date of the holiday unless otherwise approved in writing by the City Manager.

SECTION VIII – TIME OFF

8.02 Paid Time Off

Time off is defined as an absence from work. It may be used for vacation, illness, etc. as defined within these policies and procedures.

The benefits of PTO include a demonstrated reduction in unplanned absenteeism since employees have greater control over the use of time off. Under the PTO policy, employees do not lose unused sick time, and thus would not feel compelled to consume the time rather than lose it. Should an employee exhaust their entire PTO balance, critical time off may be used in case of injury or illness.

PTO Accrual

- Full-time employees accrue, or earn, an amount of PTO time with each payroll cycle, based upon years of service.
- Beginning with the first year of service, full-time employees will accrue, or earn, 18 days or 144 hours.
- One additional day per year of service will be earned on the employee's anniversary date, up to a maximum of 30 days after 13 years of service.
- After 25 years of service, an additional five days of service can be earned, for a total of 35 days or 280 hours.

The table below shows the maximum accrual of PTO based on years of service.

Years of Service	Maximum Days Accrued per Year
1	18
2	19
3	20
4	21
5	22
6	23
7	24
8	25
9	26
10	27
11	28
12	29
13	30
25 Plus	35

PTO Accumulation

- Full-time employees accumulate – or save – an amount of remaining PTO time at the end of each year without losing it, based upon years of service.
- After each five years of service up to 15 years, an additional 10-20 hours of PTO time can be saved without being lost, with a maximum of 360 hours at 15 years of service (see table below).
- All accumulated PTO time up to the maximum allowed will be paid to the employee upon retirement or separation from City employment.

The table below summarizes the amount of PTO hours that can be saved per years of service.

Years of Service	Proposed Accumulation of PTO
1	144 Hours
2	200 Hours
3	220 Hours
4	230 Hours
5	240 Hours
6	250 Hours
7	260 Hours
8	270 Hours
9	280 Hours
10	300 Hours
11	300 Hours
12	320 Hours
13	340 Hours
14	350 Hours
15	360 Hours

Use of PTO

When requesting to use PTO time, it is important to be sensitive to the operating needs of your business or department. Advance approval from a supervisor is required to use PTO time, unless the time off is due to an unanticipated illness or emergency. The City retains the right to change PTO schedules, or deny PTO requests, at its sole discretion to ensure the orderly operation of City business.

In addition, it is important to keep the following points in mind:

- PTO is for use by full-time employees only, and must be taken at a minimum of one hour.
- Employees are required to substitute accrued PTO days for any leave of absence that would otherwise be unpaid pursuant to the City Employee Handbook including, but not limited to, a military leave, personal leave, and family and medical leave. This means that accrued PTO will run concurrently with any such leave of absence.
- PTO should be approved by supervisor/department head prior to using the time, with as much advance notice as possible. Approved PTO beyond 12 consecutive days requires approval from the department head and City Manager. It is understood that illness/injury use of PTO may occur without advance notice.
- Employees may be required to provide a doctor's release for PTO taken for injury/illness if absent for three shifts/days or more.
- PTO will be tracked by City department heads or his or her designee.
- With the City Manager's approval, department heads may advance employees up to a maximum of five days of PTO not yet accrued.
- The City does not provide PTO pay in lieu of time used, except upon separation from employment.
- Excessive use of PTO that has not been pre-approved by department heads will be considered unexcused and excessive absences (even if the number of days taken as unscheduled PTO is within the number of days you have accrued) and may result in disciplinary action up to and including termination of employment.

Unused PTO

Employees are encouraged to take earned PTO each year. Unused PTO accrued within a calendar year will be placed in the employee's accumulated PTO bank unless they have reached their maximum accumulated time, at which point the time is lost.

SECTION VIII – TIME OFF

8.03 Jury and Court Duty

In recognition of this important civic obligation, City of Jacksonville grants time off with pay to full-time regular employees who receive a court summons for jury duty. To receive pay, written verification of the jury summons along with the date(s) and time for the absence prior to the absence must be given to your supervisor. This verification will serve as authorization for time off during jury service.

Any employee subpoenaed to testify in court will only be paid if the testimony is related to City business or the employees' position with the City.

SECTION VIII – TIME OFF

8.04 Voting Time

The City of Jacksonville encourages you to vote in national, state, and local elections. Generally, the polls are open before and after regular working hours. If suitable time for voting is not available before or after normal working hours, up to two hours paid leave from work will be provided to allow you to exercise your voting privilege. Arrangements for the time off should be made in advance with your supervisor.

SECTION VIII – TIME OFF

8.05 Funeral Leave

You are eligible to receive pay for funeral preparation and attendance if you are a full-time regular employee. Up to three days (24 hours) will be granted to a full-time employee who suffers the loss of an immediate family member. The term "immediate family" includes the employee's mother, father, grandparents, sister(s), brother(s), spouse (including common law), children, daughter-in-law, son-in-law, or any other persons living in the employee's household. The death of an immediate family member of the employee's spouse shall also be included.

If additional time off is needed due to unique circumstances, earned PTO time may be used or an unpaid personal leave of absence may be granted upon approval by your supervisor.

SECTION VIII – TIME OFF

8.06 Military Leave

Unpaid Leave

The City of Jacksonville will provide unpaid military leave for employees who must leave their jobs to serve in the military, whether that service is in the regular armed forces, the National Guard, or in the reserves. In administering such leave, the City of Jacksonville will abide by the guidelines set forth in The Uniformed Services Employment and Reemployment Rights Act of 1994. An employee planning to leave their position with the City to perform service in the uniformed service must provide advance written or verbal notice of service. The employee must not have more than five cumulative years of service.

Paid Leave

The City of Jacksonville allows for up to 120 hours, of paid leave per 12-month period based upon the employee's existing wages. Leave will be available to employees upon successful completion of the probationary period as established in the policy manual.

If you are called to active duty, or will participate in any military training, you must notify your supervisor immediately. If possible, your notice should include anticipated duration of service and when you will expect to return to work full-time.

Should you have any questions regarding military leave, please contact your immediate supervisor.

SECTION VIII – TIME OFF

8.07 Family and Medical Leave

The City of Jacksonville complies with the Family and Medical Leave Act of 1993, which requires that employers provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, or 1,250 hours over the previous 12 months and have not used all available FMLA leave in the 12 months looking back from the date the requested leave will commence. The City of Jacksonville will grant an employee up to a total of 12 workweeks of unpaid leave during any 12-month period for eligible reasons under FMLA. Eligible reasons include;

To care for the employee's child after birth, or placement for adoption or foster care (only within 12 months of the birth or placement);

To care for the employee's spouse, son or daughter, step children, or parent, who has a serious health condition (does not include in-laws); or

For a serious health condition that makes the employee unable to perform the essential functions of the employee's job (including any illness due to work related injuries).

The employee will be required to use their PTO, or other accumulated paid time (holiday and comp time) concurrently with FMLA leave time.

Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA when the need is foreseeable and such notice is practicable. Should you have more specific questions regarding FMLA, please contact your immediate supervisor or the HR department.

SECTION VIII – TIME OFF

8.08 Other Absences without Pay

Leave of absence without pay is an approved absence from duty in a non-pay status. Granting a leave of absence without pay is at the discretion of the City Manager. This type of leave is not authorized unless there is a reasonable expectation that the employee will return to employment with the City at the end of the approved period.

Employees on leave of absence without pay receive no compensation and accrue no benefits. However, previously accrued leave balances, benefits, and seniority are retained during leaves of absence unless otherwise prohibited by the terms or provisions of the benefit programs or by these policies. Medical insurance can be continued if the employee pays the premiums (including the City's portion) in full in a timely manner or if the City council authorizes the City to make payment.

A leave of absence without pay may be revoked upon receipt of evidence submitted that the cause for granting such leave was misrepresented or has ceased to exist.

A leave of absence without pay may be appropriate for the following reasons:

- Recovery from extended illness or temporary disability, including using leave without pay to add to the allowable 12-week period of family leave; pregnancy is treated in the same manner as any other extended illness or temporary disability (see section on Family and Medical Leave);
- Educational purposes when successful completion will benefit the City;
- Public service assignments;
- Seeking public office;
- Personnel exchange programs which emphasize intergovernmental relations; or
- Any reason which, in the judgment of the City manager, merits a leave of absence without pay.

Upon returning to work after an authorized leave of absence without pay, an employee receives an adjusted employment date and adjusted anniversary date which reflect the period of time that the employee used for leave of absence. This adjusted date will be used for the purpose of calculating PTO leave accrual and any other benefits that may be based on longevity.

At the expiration of an authorized leave of absence without pay, every effort will be made to reinstate the employee in the same, or a comparable, position. However, if no vacancy exists and a reasonable effort to place the employee in another position has been unsuccessful, the employee will be separated and paid any applicable accrued benefits.

SECTION IX – HEALTH AND SAFETY

9.01 Safety Policy

It is the policy of the City of Jacksonville to make every reasonable effort to provide safe and healthy working conditions for all of its employees. The City of Jacksonville provides employees such necessary tools and equipment as appropriate for the tasks to be performed by the employees.

SECTION IX – HEALTH AND SAFETY

9.02 Employee Responsibilities and Reports

Employees are responsible for conducting their work activities in a manner that is protective of their own health and safety, as well as those of other employees and the general public. Employees are to observe safe work practices and lawful, careful, and courteous operation of vehicles and equipment.

The following rules are designed to promote the safety and well-being of City employees and are to be observed at all times:

- No employee may engage in horseplay, wrestling, or practical joking while on duty or operating City equipment;
- Employees should maintain awareness of potentially dangerous situations that may cause injury to themselves, fellow employees, or the public;
- Employees must report immediately to their supervisors any conditions that in their judgment threaten the health or safety of employees or the public;
- An employee who is unable to perform his or her duties safely due to illness must promptly notify his/her supervisor.

Employees whose positions require the operation of a motor vehicle must possess a valid Texas driver's license of the appropriate class for the vehicle to be operated. The employee shall maintain a satisfactory driving record. Driver's license records may be verified at any time by the police department. In addition, drivers are responsible to exercise due diligence in the operation of any City vehicle and follow all traffic laws. Employees should avoid distractions while driving and follow state law or local ordinances pertaining to distracted driving, such as the prohibited use of cell phones without a hands-free device while the vehicle is in motion. State law and local ordinances may be updated periodically and employees are responsible for knowing and understanding their responsibilities.

Employees are responsible for maintaining the interior and exterior cleanliness of the vehicle(s) they operate, in addition to reporting any need for mechanical repairs or preventative maintenance. Employees are responsible for the security of the vehicle and its contents. Employees are not permitted, under any circumstances, to operate a City vehicle or a personal vehicle for the City when the employee cannot drive safely. This prohibition includes circumstances in which the employee is temporarily incapacitated because of illness, medication, or intoxication by any substance.

SECTION IX – HEALTH AND SAFETY

9.03 Weapons Policy

No employee shall carry on or about his person any instrument or weapon that will inflict bodily injury or death.

No employee, other than a licensed peace officer, shall open carry a weapon in any City work site, or while conducting City business.

No employee, other than a licensed peace officer, shall carry a concealed weapon in any City work site, or while conducting City business, unless that person is licensed to carry a concealed handgun with the license recognized by the State of Texas. If an employee holds a License to Carry a Handgun (LTC), they must notify the police department in writing.

For purposes of this section, the term “City work site” includes not only City buildings and property, but also other assigned work locations, City vehicles and equipment. The term “City building” means any and all buildings or portions of buildings owned, leased or otherwise controlled by the City of Jacksonville.

SECTION IX – HEALTH AND SAFETY

9.04 On-the-Job Injuries

An employee must report every on-the-job accident, no matter how minor, to his/her supervisor within 24 hours after the date on which an injury occurs or the date the employee knew or should have known of an illness. The supervisor will complete a First Report of Injury form and forward it to the City Secretary's office which will in turn notify the City's workers' compensation insurance carrier. Failure to report an on-the-job-injury, no matter how minor, may result in disciplinary action.

The City provides workers' compensation insurance for all of its employees. For details concerning workers' compensation benefits see the Employee Compensation section of this manual.

An employee who sustains a work-related on-the-job injury may seek medical attention from the medical facility or professional of their choice as approved by the Texas Workers' compensation Commission. The City encourages employees to return to work as soon as they are able to do so. An employee returning to work must submit a physician's statement of medical condition and release to return to work. As determined by the City Manager, at the City's expense, an employee may be required to submit to examination by an independent physician.

Injuries caused by willful intent and attempt to injure self or to unlawfully injure another, intoxication, horseplay by the injured employee, an act of God except in certain circumstances (i.e. assigned to duty during a tornado, lightning storm, etc.), or an act of a third party for personal reasons are excluded specifically from coverage by injury leave with pay.

A written statement from an appropriate physician certifying that the employee has been released to return to work and specifying the type(s) of work he/she is capable of performing, as well as any limitation(s), must be received by the City before an employee may return to work. All employees on injury leave must return to work after approval of the employee's attending physician or an independent physician paid by the City. Failure to return to work when directed will result in appropriate disciplinary action, up to and including termination.

The employee's supervisor must notify the City Secretary office upon the employee's return to work.

SECTION X – DRUG AND ALCOHOL ABUSE

10.01 Drug free Workplace

The following policy has been adopted to implement the City's desire to establish itself as a drug-free workplace. In all instances where reference is made to alcohol, drugs or other controlled substances, the references include inhalants.

1. All City employees are hereby notified the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or alcoholic beverage is prohibited during work hours and lunch periods, in a City vehicle, on City property and while representing the City off premises. Employees who violate this policy will be subject to immediate disciplinary action, up to and including termination.
2. All employees will abide by the terms of this policy and will immediately notify the City of any drug statute conviction for a violation occurring in the workplace.
3. The City will notify any funding agency which requires notification within 10 days after receiving notice under the above paragraph from an employee or otherwise receiving actual notice of such conviction.
4. Any employee so convicted will be subject to disciplinary action up to and including immediate termination.
5. The City will make a good faith effort to maintain a drug and alcohol-free workplace through the implementation of this policy and any Drug and Alcohol Abuse Policy.

SECTION X – DRUG AND ALCOHOL ABUSE

10.02 Purpose of Drug Testing Program

The purpose of this policy is to ensure a safe working environment and to protect the health and safety of the public by requiring employees and applicants be free from drug dependence, illegal drug use and drug abuse. The intent of the policy is as follows:

- To provide clear guidelines and consistent procedures for handling incidents of employees' use of alcohol, drugs, or controlled substances that affect job performance and to make every effort to institute and maintain a drug free workplace;
- To ensure employees conform to all state and federal regulations regarding alcohol, drugs, or controlled substances; and
- Provide substance abuse prevention education for all employees.

SECTION X – DRUG AND ALCOHOL ABUSE

10.03 General Policy

City employees shall not take any narcotic or dangerous substance unless prescribed by a licensed physician. Employees required to take prescription medicine which may alter one's work performance must notify their supervisor. Any statutory defined illegal use of drugs by an employee during or after City hours will not be tolerated.

An employee who has a reasonable basis to believe another employee is illegally using drugs or under the influence of alcohol, must report the facts and circumstances immediately to their supervisor.

Failure to comply with the intent or provisions of this policy may be used as grounds for disciplinary action. Refusal by an employee to take the required drug test or follow this general policy will result in immediate relief from City duties pending disposition of any administrative personnel action.

If a covered employee fails a drug or alcohol test, the City may terminate the employee immediately in which case the City will inform the employee where they may seek help.

(U.S. Department of Transportation 49 CFR Part 382, Subsection 382.605.)

SECTION X – DRUG AND ALCOHOL ABUSE

10.04 Drug and Alcohol Tests

All employees are subject to five types of testing for both drugs and alcohol: 1) pre-employment, 2) post-accident/incident/injury (needing treatment), 3) random, 4) reasonable suspicion, and 5) return to duty.

Pre-Employment Testing: The City performs pre-employment drug/alcohol tests on all new employees, after extending a conditional offer of employment, but prior to the first day of work. In addition, the City must and will request the results of U.S. Department of Transportation drug tests from previous employers for employees required to hold a commercial driver's license.

Post-Accident Testing: The City will test for drug and alcohol use no matter how serious the accident.

Reasonable Suspicion Testing: If a supervisor believes a reasonable suspicion of drug or alcohol use exists for an employee under their supervision, they must obtain the concurrence of the City Manager before sending an employee to be tested. The City reserves the right to give a breathalyzer test to any employee at any time while at work or when performing City duties.

Return to Duty Testing: Before an employee is allowed to return to duty after having been sent home or suspended as a result of a drug or alcohol test, they will be tested for illegal drugs and alcohol and found to be drug free. In addition, an individual randomized drug testing schedule will be developed for the employee or driver for a time period not to exceed 24 months.

SECTION X – DRUG AND ALCOHOL ABUSE

10.05 Searches

The City reserves the right to make general or random searches of City property, such as lockers, closets and desks for alcohol, prohibited drugs, or drug paraphernalia without the consent of the employee. Use of private locking device may be used by employees but can be cut off by City personnel if needed, and the employee should have no expectation of privacy.

Any materials brought to the workplace, such as personal effects (briefcases, vehicles, etc.) may be subject to search at any time of a reasonable suspicion exists that alcohol, prohibited drugs, or drug paraphernalia may be found. A request to search is not an accusation of wrongdoing but merely part of an investigation. If the employee is available, they will be asked to consent to the search. If they do not provide consent, any attempt to conduct a search of materials brought into the workplace will not be continued. However, the employee's refusal to cooperate will be noted in their personnel file with a statement that reasonable suspicion existed to conduct the search. Refusal to submit to a search may lead to disciplinary action. No search of materials brought into the workplace will be conducted in the employee's absence.

Any search will be conducted as privately as possible, involving only persons with a need to know and only with the authorization of the City Manager or their designee.

If illegal paraphernalia is found, it will be confiscated, and the employee will be subject to appropriate disciplinary action, up to and including termination, as well as criminal prosecution, if appropriate.

SECTION XI – USE OF AND ACCOUNTABILITY FOR CITY EQUIPMENT AND PROPERTY

11.01 General Policy on City Equipment and Property

It is the policy of the City of Jacksonville to provide each employee with adequate tools, equipment, and vehicles for the job being performed and expects each employee to observe safe work practices; safe and courteous operation of vehicles and equipment in compliance with all applicable regulations.

SECTION XI – USE OF AND ACCOUNTABILITY FOR CITY EQUIPMENT AND PROPERTY

11.02 Use of Tools, Equipment, Property and Vehicles

It is the employee's responsibility to take care of such property and report any instance of damage or loss to their immediate supervisor. All equipment and property must be secured prior to closing office. The City of Jacksonville requires all employees to observe safe work practices, lawful, careful and courteous operation of vehicles and equipment. Any property issued to an employee for use at the office or off the premises must be returned in good condition at their supervisor's request or to the City Secretary upon termination of employment.

City Owned Vehicles

Repairs to vehicles must be done in accordance with City purchasing policies. Employees are to exercise due diligence to drive safely, wear seat belts, and follow all state laws, City policy and departmental policy at all times while the vehicle is in use. Employees are responsible for maintaining cleanliness of the interior and exterior of the vehicle to which they are assigned. Additionally, employees are responsible for taking prudent steps to ensure the reasonable security of the vehicle and its contents.

If an employee receives a fine of any kind in connection with the use of a City vehicle the employee will be responsible for that fine.

Employees are not permitted under any circumstances, to operate a City vehicle or a personal vehicle for City business when the employee cannot drive safely. This includes circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of illness, medication, or intoxication.

Employees who operate City vehicles and equipment and/or whose position requires driving for City related business shall maintain a satisfactory driving record. All employees who drive City vehicles or receive vehicle allowances from the City must immediately inform their supervisor in writing of any past convictions or pending charges for any alcohol related charges.

The City of Jacksonville, as approved by the City Manager, may furnish individually assigned vehicles. Individually assigned vehicles are regarded as a benefit of employment for both the employee and the City of Jacksonville as it facilitates the ready availability of key personnel and their assigned equipment, at all times.

All other City-owned vehicles shall only be operated by on-duty personnel and within the scope of their assigned duties within the jurisdiction of the City. Exceptions may be made by the City Manager for individuals traveling to/from assigned training or while participating in special activities.

Vehicle Use, Safety and Operation Policy:

The City of Jacksonville is dedicated to eliminating conditions that adversely affect the well-being of our employees and otherwise threaten the City through accidental losses.

Our policy is to insist that employees operate all the vehicles owned or used in behalf of the City of Jacksonville in a safe and responsible manner.

SAFE DRIVER PRACTICES

1. All drivers will have a valid Texas Driver's License for the vehicle operated. A copy of this license will be kept on file within the employee's personnel file.
2. All applicable motor vehicle laws of the state, county or City will be adhered to.
3. No unauthorized drivers will be allowed to operate the vehicle.
4. Seat belts will be worn at all times while either operating or riding as a passenger in the vehicle.
5. All vehicle or property damage accidents must be reported immediately to your supervisor.
6. Vehicles will be operated only when they are in safe operating condition. Continuous awareness of your vehicle's condition should be accomplished and operating defects reported or corrected prior to operation.

HOME STORAGE

Employees who operate individually assigned city-owned vehicles are approved to store said vehicles at their place of residence, provided that:

1. Adequate safe parking is available (preferably off the street);
2. The vehicle is secured from unauthorized use;
3. The employee resides within a 30 minutes radius of the City of Jacksonville City Hall;
4. The city vehicle must be returned to the city building assigned prior to the scheduled time off. If an employee is on scheduled PTO for four consecutive working days/shifts, (the department head, with the City Manager's approval, has the discretion to alter or waive this requirement);

Excluding approved travel, all other employees of the City are forbidden from storing any city-owned vehicle at their place of residence or any location other than the Jacksonville City building, unless approved by the City Manager and under special circumstances.

INSURANCE

City vehicles are insured by the City.

MARKINGS

All City vehicles will be marked in accordance with state law.

GASOLINE/MAINTENANCE

Gasoline, oil, repair, and general maintenance services will be provided by the City for all City-owned vehicles.

PERSONAL ASSIGNMENT VEHICLE DESIGNATIONS

City Employees who are assigned City owned vehicles are allowed to use the vehicle to drive between home and the job site. The only authorized personal use is for incidental trips while in transit between home and the job site as long as the trip adds no more than 10 miles to the driver's most direct home-to-work route. No unauthorized personal use or passengers are permitted at any time unless extenuating circumstances exist as approved by the City Manager.

USE of ALCOHOL/MIND ALTERING SUBSTANCES

Use of alcohol, or any other substance that alters the ability of an employee to drive safely, is strictly prohibited.

DISCIPLINARY ACTION

Either the appropriate department head or the City Manager may take disciplinary action against any employee for violation of this policy or any portion thereof. Such action may include, but not be limited to suspension or termination.

Permission for vehicle usage or home storage may be revoked at any time including, but not limited to, the following reasons:

1. One chargeable moving violation within a 12-month period while operating a City-owned vehicle;
2. Failure to comply with the regulations and responsibilities outlined above;
3. Evidence of vehicle abuse;
4. Use of City vehicle while under the influence of drugs or alcohol.

Citations of a civil or criminal nature are the responsibility of the employee and includes those for red light camera and toll road violations.

EMERGENCY OPERATIONS

Special assignment of vehicles to individual employees may be made as part of the City's Emergency Operation Plan where such an assignment protects the vehicle from damage or preserves it for immediate special response.

AUTHORIZED DRIVERS

Authorized drivers of City owned vehicles may include the following:

1. All City employees with a valid Texas driver's license;
2. When available, employees, as authorized by the City Manager, may utilize the designated pool car to travel to and from approved professional training sites, conference locations, meetings, and crime laboratories.

MILEAGE REIMBURSEMENT

For those employees who do not have an individually assigned vehicle or do not receive a vehicle allowance, they must utilize a city owned vehicle for transportation during approved travel/training activities. Should an appropriate city owned vehicle not be available, the employee, with approval from the City Manager, may utilize their personal vehicle and request mileage reimbursement as established by the IRS for the standard rate of business travel. For employees who receive a car allowance, mileage will be reimbursed for travel more than 75 miles one way or to any county contiguous with Cherokee County, whichever is greater.

Use of City Communication Systems

The communication and information systems at the City of Jacksonville should be used only for conducting City business. Communication systems include, but are not limited to any handheld wireless device such as, laptops, or more traditional devices such as phones, facsimile-machines and mailing systems. Information systems include computers, internet/intranet networks and electronic mail.

Since the City of Jacksonville reserves the right to access any personal communication without prior notice, City systems should not be used by employees to transmit any messages or to access any information that they would not want to be viewed or heard by a third party.

Incidental, occasional and infrequent use of the City's communication and information systems for personal use is permitted as long as such use does not interfere with your work or the work of any other employee or with the equipment operations.

The communication and information systems of the City of Jacksonville may not be used for any illegal, unethical, destructive, or wasteful purpose. Employees should exercise care in personal use of any communication and information systems device and should not expect their use of personal information stored in these systems to be kept private.

Telephone Usage

The telephone system (including voicemail) at City of Jacksonville is the property of the City and is provided for business purposes. To the extent permitted by law, City of Jacksonville may periodically monitor the use of the telephone systems to ensure compliance with this policy. Therefore, employees should not consider their conversations on the City telephone system to be private.

Information Technology Equipment, Software and General Use

Employees of the City will abide by the City of Jacksonville Computers and Network Acceptable Use Policy as adopted by the City Council. The Policy is attached as Appendix C.

Cell Phones

The City of Jacksonville may purchase or provide under a lease contract, cell phones for City staff as deemed necessary. The policy is applicable to all City owned telephones furnished to employees required to have and maintain cellular communication devices primarily for the purpose of conducting official City business. Authorized employees are expected to be available for business needs as determined by each supervisor and must have possession at all times during their work shift with the exception of certain meetings, conferences, safety related issues, or as otherwise directed by their supervisor or the City Manager. Employees issued a cell phone allowance are bound by the same policy as those issued a device.

Personal cell phone use, including talking, texting, email, or internet use is not allowed at work stations or while at work except in the event of an emergency.

In order to keep accountability under control, the Finance Director shall be responsible for reviewing and approving monthly invoices. All authorized users are reminded that even though the cell phone is not intended for personal use, the City recognizes that on occasion there may be instances in which a cell phone is needed for such; however, usage will be limited.

Use of Cell Phone While Driving

The use of a cell phone while driving may present a hazard to the driver, other employees and the general public. Cell phone use is only allowed with a "hands free" device while operating City vehicles. Employees must also adhere to all federal, state, or local rules and regulations regarding the use of cell phones while driving. Accordingly, employees must not use cell phones while driving if such conduct is prohibited in a particular area: i.e., school zones. Texting while driving is prohibited by state law while operating a vehicle.

SECTION XI – USE OF AND ACCOUNTABILITY FOR CITY EQUIPMENT AND PROPERTY

11.03 Vehicle Insurance

The City maintains up-to-date insurance coverage on vehicles owned by the City. In the event that an employee drives a personal vehicle on City business, they are required to maintain up-to-date insurance coverage as required by the State of Texas.

SECTION XI – USE OF AND ACCOUNTABILITY FOR CITY EQUIPMENT AND PROPERTY

11.04 Accident Reporting

An employee involved in an accident while operating City equipment or vehicles must report the accident and any injury to persons or any property damage to his or her supervisor and to the appropriate law enforcement agency immediately, or in the case of injury to the employee, as soon as the employee is able.

Each vehicular accident, no matter how minor, must be reported to the police department so that an official accident report can be filed. Employees involved in accidents may be required to submit to a drug and alcohol test immediately following the accident. Refusal to submit to the drug and alcohol test will result in disciplinary action up to and including termination.

The City Secretary is responsible for obtaining a copy of the accident report for placement in the personnel file of the employee involved in the accident, as well as submitting a report to the insurance company. The supervisor and the City Attorney will also receive copies of each accident report.

SECTION XII – DISCIPLINE

12.01 Progressive Discipline

VERBAL WARNING:

Counseling is designed to provide constructive feedback to the employee for infractions that need improvement. This can be done informally with the supervisor meeting with the employee to be certain the employee realizes that his or her behavior or work is unsatisfactory and understands what is expected and is generally known as a non-disciplinary action. The employee's supervisor may document the counseling in the employee's personnel file.

WRITTEN WARNINGS:

As with counseling, the employee's supervisor and/or another supervisory staff member meet with the employee to discuss problem behavior and what is expected of the employee. The written warning should include a clear explanation of the consequences of the employee's continued failure to correct the problem. The written document will be included in the employee's official personnel file.

WRITTEN REPRIMANDS:

A written reprimand indicates a more serious situation than a written warning. The employee's supervisor and/or supervisory staff member is responsible for administering this action. The reprimand must include a detailed report of the specific violation(s) of the policy, the specific incident(s) causing the action, what changes in behavior are expected, what penalty shall be imposed if no changes are made by the employee, and the right to appeal. The employee shall be given the opportunity to respond in writing and turned into his or her supervisor within 10 business days of the action. Both the supervisor and the employee should sign the written reprimand. The employee's signature indicates receipt of the document only, not necessarily agreement with its contents. If an employee refuses to sign, the supervisor shall document that the action was administered and that the document was presented to the employee.

SUSPENSIONS/DEMOTIONS:

A suspension with or without pay, or a demotion may be administered in situations where reprimands have already been given for previous infractions or lack of performance, or in situations serious enough to warrant this level of discipline without prior discipline, such as a criminal investigation. Copies of the written reprimand and all supporting documentation, if any, shall become a permanent part of the employee's personnel file.

TERMINATION:

Termination may be the culmination of progressive discipline issues or poor performance issues. Alternatively, it may occur as the first disciplinary measure undertaken if the situation warrants it.

SECTION XIII – SEPARATIONS

13.01 Types of Separations

All separations of employees are designated as one of the following types:

- Resignation;
- Abandonment of Position;
- Emergency Response;
- Retirement;
- Reduction in Force/Lay Off;
- Termination;
- Disability; or
- Death.

Exit interviews are available and conducted upon request of the employee and/or the department head.

SECTION XIII – SEPARATIONS

13.02 Resignation

Should an employee decide to resign from the City of Jacksonville, advance notice of the separation should be provided to the supervisor. Two weeks written notice is preferred. This will allow time for a suitable replacement to be found. The supervisor is responsible for notifying the City Manager immediately. On the last day of employment and prior to issuance of final paycheck the employee will be required to return any City of Jacksonville property. Property includes, but is not limited to, office/desk/security cards or keys, unused business cards, work uniforms, office equipment, or any other items issued or in the possession of the employee during the course of employment with City of Jacksonville.

SECTION XIII – SEPARATIONS

13.03 Abandonment of Position

Unauthorized absence from work for a period of two consecutive working days without notifying the department head or supervisor may be considered a voluntary resignation and will result in the termination of benefits unless the City Manager determines otherwise.

SECTION XIII – SEPARATIONS

13.04 Emergency Response

Emergency personnel must report to the designated building during an emergency event, i.e. hurricane, floods, tornado, or any City emergency. Unauthorized absence could result in termination of employment.

In the event of an emergency and a disaster declaration, state of emergency or long-term emergency declared by the Mayor or City Manager, all exempt employees will be eligible for overtime or compensatory time off in the same manner as non-exempt employees. The ability to earn overtime or compensatory time off will begin on the date of the disaster declaration, state of emergency or long-term emergency and will end on the date such is declared over.

SECTION XIII – SEPARATIONS

13.05 Retirement

Employees electing to retire from the City of Jacksonville are requested to provide their supervisor with advance notice of the separation. Two weeks written notice is preferred. This will allow time for a suitable replacement to be found. The supervisor is responsible for notifying the City Manager immediately. On the last day of employment, or prior to issuance of a final paycheck, the employee will be required to return any City of Jacksonville property. Property includes, but is not limited to, office/desk/security card and keys, unused business cards, work uniforms, office equipment, or any other items issued or in the employee's possession during the course of employment with City of Jacksonville.

SECTION XIII – SEPARATIONS

13.06 Reduction in Force/Layoff

Reductions in force are necessary when there is either a lack of funds or a lack of work. Decisions on individual separations will be made after considering:

1. The relative necessity of each position to the organization;
2. The performance record of each employee;
3. Qualifications of the employee for remaining positions with the City; and
4. The employee's length of service with the City.

SECTION XIII – SEPARATIONS

13.07 Dismissal

In most instances, the employee's supervisor will make a recommendation to the department head. The department head must authorize and request the City Manager's approval. For very serious offenses such as theft, assault, or violations of City policy (including ethics) termination can be the appropriate first disciplinary step. However, in most cases, termination will be imposed only when other attempts to correct the problem and less severe forms of discipline have failed. When an employee is terminated, the employee will receive written notification, which includes.

1. The reason for dismissal;
2. The effective date of the dismissal;
3. A statement of right to appeal the action; and
4. A statement of any other related facts.

A copy of the written document must be forwarded to the City Manager to be placed in the employee's personnel file.

SECTION XIV – GRIEVANCES

14.01 Policy

The City of Jacksonville strives to maintain a personnel system that allows employees to resolve their grievances with management fairly and expeditiously. In order to assist employees in the proper handling of grievances, procedures have been established herein and all grievances shall be resolved in conformance with these procedures. Every effort should be made to resolve grievances at the lowest possible level of supervision. Failure to follow procedural requirements will result in a denial of further grievance consideration.

All permanent or probationary full-time employees may file a grievance on one or more of the following grounds:

- Improper application of rules, regulations, and procedures (but not the rules regulations, and procedures themselves);
- Unfair treatment;
- Illegal harassment or discrimination based on race, religion, color, sex (including sexual harassment), age, disability, or national origin;
- Improper application of fringe benefits; or
- Improper working conditions.

The City follows a grievance procedure which ensures the employee due process in the City's consideration of his/her work-related grievances: the right to be represented, the right to mount a defense, and the right to present written response(s) regarding resolution of the grievance. Terminations, which must be approved by the City Manager in consultation with the City Attorney, are not grievable actions.

SECTION XIV – GRIEVANCES

14.02 Final Authority

The City Manager’s decision is final. Employees in a position at the department head level may appeal the City Manager’s decision to the City Council.

SECTION XIV – GRIEVANCES

14.03 Procedure

Informal Grievances

The first step in the grievance procedure is for the employee to attempt to resolve the grievance by informal conference with his/her supervisor. If this informal conference does not result in a resolution of the problem(s) that is satisfactory to the employee, he/she must file a formal, written grievance.

Formal Grievances

Formal grievances must be in writing, signed by the employee, and presented to the employee's supervisor within 10 working days after the alleged grievance occurred. A statement of the specific remedial action requested by the employee must be included in the written grievance. Employees have the right to be accompanied by a witness of their choosing during any stage of the grievance procedure. The witness may be another City employee of his/her choosing who has not been a witness in any other City grievance proceeding within the previous 12- month period. Employees intending to have a witness present must notify their supervisor and City Manager in advance of any meetings in order that the City Manager can also make arrangements for representation by City Attorneys, if deemed necessary.

After being presented with a written and signed grievance, the supervisor will:

1. Meet with the employee and such other persons as may be necessary to gather the facts;
2. Notify his/her supervisor, who must notify the HR department immediately upon learning that a grievance has been filed;
3. Attempt to resolve the grievance with the employee and, if requested by the employee, with the employee's representative; and
4. Communicate the decision to the employee in writing within 15 business days after receipt of the grievance, sending a copy of the proposed resolution and department head or City Manager, as applicable.

If the employee is dissatisfied with any proposed resolution during the grievance process, he/she must appeal within three business days of receipt of the supervisor's notice. Employees who are not satisfied with the decision may file a written request to have their cases reviewed by the City Manager. The City Manager shall render a written decision within 15 business days from the receipt of the written request, which is final.

Maximum Time Periods

At each stage of the grievance process, the time periods specified are maximums. Grievances should be dealt with promptly and written responses provided as quickly as possible.

Documentation

Copies of all documentation relating to the grievance will be forwarded to the HR department immediately upon conclusion of each step in the grievance process and will be placed in the employee's personnel file.

SECTION XV – JOB DESCRIPTIONS AND EMPLOYEE PERFORMANCE

15.01 Job Descriptions

Each position in the City has a written job description using a standard format. The City Manager establishes and reviews official job descriptions for each employee. The primary objectives of the job descriptions are:

- a. To serve as a means of communication between the supervisor and the employee to clarify the responsibilities and expectations of the job;
- b. To serve as the main resource to determine the salary range;
- c. To serve as the basis for performance appraisals;
- d. To identify minimum qualifications, applied skills, knowledge and ability, and for recruitment, selection, promotion, and training purposes.

Employees are hired on the assumption they will “perform other work-related duties as required” that may not be specifically identified in their job description.

SECTION XV – JOB DESCRIPTIONS AND EMPLOYEE PERFORMANCE

15.02 Personnel Files

Personnel and medical records are maintained by HR. Information in an employee's personnel file is public information and must be disclosed upon request unless specific items are exempted from disclosure by law. No information from any record placed in an employee's file will be communicated to any person or organization except by the City Manager or by an employee authorized to do so by the City Manager.

Each employee may choose whether the City discloses the employee's home address and telephone number to the public on request. If a new employee does not request confidentiality within the first 14 days of employment, the home address and telephone number on file are considered public information with the exception of police officers, whose addresses and telephone numbers are not public information. However, employees may change their election for disclosure or confidentiality at any time. A form for designating this information as confidential or public is available from HR.

An employee, or their representative (designated in writing), may examine the employee's personnel file upon request during normal working hours at the City offices. An employee may request copies of items or materials in their personnel file but may not remove anything from the file.

When a supervisor requires access to a personnel file of an employee under their supervision for the handling of personnel matters, HR will provide access to the specific file(s).

Employees must inform their supervisor of any changes or of corrections to information recorded in their individual personnel files such as home address, telephone number, emergency contacts, or other pertinent information.

SECTION XV – JOB DESCRIPTIONS AND EMPLOYEE PERFORMANCE

15.03 Contents of Personnel Files

An employee's official personnel file contains all documents related to an employee's employment relationship with the City, except for medical records and the I-9 form.

I-9 forms for all City employees are filed chronologically in a single file that is separate from individual personnel files.

An employee's personnel file does not contain information regarding their medical record(s), nor does it contain any information relating to drug or alcohol testing. Medical files are confidential and are not released to anyone.

SECTION XV – JOB DESCRIPTIONS AND EMPLOYEE PERFORMANCE

15.04 Leave Records

Official PTO records of accrual and usage are kept for each employee by HR. These are updated with each pay period. Leave balances are shown on the paystub to reflect any remaining paid time off to which an employee is entitled. Supervisors must submit a copy of an approved time off request to HR for any time used by an employee under their supervision.

SECTION XV – JOB DESCRIPTIONS AND EMPLOYEE PERFORMANCE

15.05 Employee Performance

The City will evaluate employee performance at least annually. This will consist of a conversation between the employee and their immediate supervisor to determine goals and evaluate progress toward better performance and personal development. Results are used in determining step raises and incentive pay. The evaluation(s) may also be used in consideration of promotions. The supervisor will complete written evaluations with the final approval given by the City Manager. A copy of the evaluation will be available to the employee at the employee's request.

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