

Employee Policies Manual
City of Clifton, Texas
Approved by the City Council December 14, 2010

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8 **I. GENERAL AUTHORITY AND**
9 **APPLICATION OF POLICIES**

10 **A. Authority & implementation:**

11 These policies are established by the City
12 Council. The Council must approve additions
13 and amendments..

14
15 As Chief Executive Officer of the City, the
16 Mayor is responsible for the administration of
17 the personnel policies and procedures. The
18 Mayor may delegate authority to appropriate
19 staff members to act in his or her behalf in the
20 administration of these policies and
21 procedures.

22 With the exception of matters of appointment
23 and other personnel actions reserved for the
24 City Council by statute, final authority on
25 personnel decisions is reserved to the Mayor.
26 In cases where federal or state laws or
27 regulations supersede local policy for specific
28 groups of employees, such laws or regulations
29 will substitute for these personnel policies only
30 insofar as necessary to comply.

31 **B. Purpose and applicability:**

32 These policies set forth rules governing
33 employment with the City. They have been
34 adopted to promote consistent, equitable, and
35 effective practices by employees and
36 supervisors.

37
38 These personnel policies apply equally to all
39 employees of the City unless a class of
40 employees is specifically exempted. On
41 authority of the Mayor, individual departments
42 may adopt supplemental policies. In the event
43 of conflict, this manual shall prevail.

44 **C. Maintenance and distribution of**
45 **personnel policies:**

46 The City Administrator and the City Secretary
47 will keep complete, up-to-date printed sets of
48 the personnel policies for reference by anyone.

49 A copy of the policy will be posted on the City's
50 web site under "City Documents". All
51 employees are required to acknowledge
52 reading and understanding the manual with a
53 signed form kept in individual personnel files.
54 The City Administrator or City Secretary will
55 explain the policies to any employee upon
56 request.

57 **D. Equal employment opportunity:**

58 No discrimination will be allowed against any
59 person in job structuring, recruitment,
60 examination, selection, appointment,
61 placement training, upward mobility, discipline,
62 or any other aspect of personnel administration
63 based upon race, age, religion, color,
64 handicap, national origin, sex, political
65 affiliation or belief, or any other non-merit
66 factor. Personnel decisions will be made only
67 on the basis of occupational qualifications and
68 job-related factors such as skill, knowledge,
69 education, experience, and ability to perform a
70 specific job.

71 **E. Sexual harassment:**

72 It is the policy of the City to maintain a work
73 environment free of sexual harassment.
74 Employees will not participate in sexual
75 harassment against any person.
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77 **II. EMPLOYEE RESPONSIBILITIES**
78 **AND RESTRICTIONS**

79 **A. General:**

80 The City of Clifton is a public, tax-supported
81 organization. Its employees must adhere to
82 high standards of public service that
83 emphasize professionalism, courtesy and
84 avoidance of even the appearance of illegal or
85 unethical conduct. Employees are required to
86 efficiently carry out the work assigned to them,
87 to maintain good moral conduct, and to do their
88 part in maintaining good relationships with the

1 public, City officials, their supervisors and
2 fellow employees. 47

3 **B. Timeliness:** 48
4 Employees are to be punctual in reporting for 49
5 work, to keep appointments and to meet 50
6 schedules . 51
7 An employee who expects to be late or absent 52
8 from work must report the expected tardiness 53
9 or absence to his or her supervisor within 54
10 approximately a half-hour of the time the 55
11 employee is scheduled to begin work. 56
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12 **C. Political activity:**
13 • Employees are encouraged to vote
14 and to exercise other prerogatives of
15 citizenship consistent with state and
16 federal law and these policies.
17 • A City employee shall not use his or
18 her official authority or influence to
19 interfere with or affect the result of
20 an election or nomination for any
21 elective office;
22 • A City employee shall not contribute
23 or be asked to contribute money or
24 time to candidates for City elections,
25 or to actively campaign on behalf of
26 candidates in City elections.

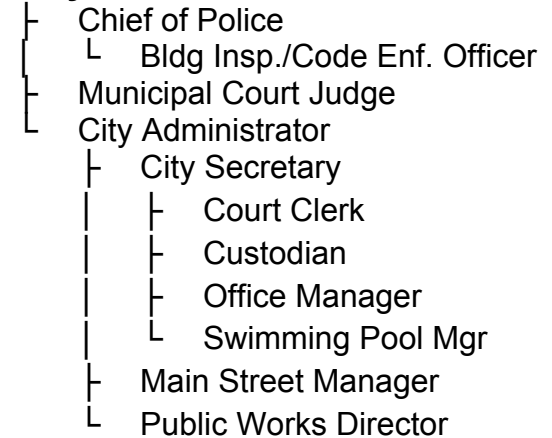
27 **D. Gifts** 59
28 Employees will not accept gifts (other
29 than casual gifts of nominal value) from
30 contractors, vendors, or other persons
31 who have business dealings with the
32 City. 60
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62

33 **E. Communications and media**
34 **relations:** 63
35 A City employee may request that a matter be
36 considered by the City Council by submitting
37 the item in writing to the department head, who
38 will forward the communication to the City
39 Administrator or City Secretary. 64
40 Communications with the public about City of
41 Clifton business or problems is the
42 responsibility of the Mayor. Employees are to
43 refer the public and/or news media to the
44 Mayor any time a question is non-routine,
45 controversial, or outside the scope of the
46 employee's normal duties. 65
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F. Chain of command:
The Mayor is the chief executive officer of the
City. In order for the City to function properly
as an organization, it is necessary that
employees adhere to the City's chain of
command. An employee may bypass his or
her immediate supervisor only when the
complaint directly involves that supervisor. In
that event, the employee may bring the
complaint to the City Administrator, the City
Secretary, or the Mayor.

Chain of Command

Mayor



59 **G. Solicitations:**
60 Solicitation of funds for any purpose in City
61 facilities, on City property, by or of City
62 employees on the job is prohibited.

63 **H. Call out:**
64 Any City employee may be called out for
65 emergency response at any time. Unless an
66 emergency situation at the employee's home
67 demands the employee's immediate attention,
68 the employee will report for duty without delay
69 for as long as he or she is needed. If the
70 employee has valid reasons for not reporting,
71 he will state them verbally to his immediate
72 supervisor when notified, and follow up within 5
73 working days with a written explanation. The
74 City Administrator and the Mayor will be
75 advised of all such incidents in writing.
76 Employees who refuse to report or fail to report
77 for call out duty may be suspended without pay
78 immediately and will be subject to dismissal
79 under the city's at-will employment policy.

1 **III. HIRING PRACTICES &**
2 **QUALIFICATIONS**

3 **A. Equal employment opportunity:**

4 The City of Clifton is an equal opportunity
5 employer. The City takes affirmative action to
6 see that applicants and employees are treated
7 without discrimination based upon race, age,
8 religion, color, handicap, national origin, sex,
9 political affiliation or belief, or any other non-
10 merit factor.

11 **B. Physical standards:**

12 The City may require a prospective new
13 employee for any position within the City to
14 have a physical examination and pre-
15 employment drug test performed by a
16 physician of the City's choice, at the City's
17 expense.
18 The Public Works Department has no positions
19 that could be qualified "light duty". Permanent
20 or prolonged inability to perform normal duties
21 of Public Works staff may, though regrettable,
22 result in dismissal.

23 **C. Driver's license standards:**

24 Public Works staff must have a valid
25 Commercial Driver's License with an air brake
26 endorsement.

27 **D. Literacy standards:**

28 Public Works staff must demonstrate the ability
29 to read and comprehend written instructions by
30 explaining a written Standard Operating
31 Procedure for water or wastewater system
32 operations.
33 Public Works staff must demonstrate the ability
34 to use a map by locating and describing a
35 fixture on a city utility map and by finding a
36 location on the map when standing at the
37 actual location.
38 Public Works staff must demonstrate the ability
39 to use a computer by successfully opening a
40 bi-weekly timesheet, completing and printing it.

41 **E. Employment of relatives:**

42 Nepotism is the showing of favoritism toward a
43 relative. The practice of nepotism in hiring
44 personnel or awarding contracts is forbidden
45 by the City.
46 No person may be hired who is related within
47 the second degree by marriage or within the

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third degree by blood to any member of the
City Council. No person may continue in City
employment who is related within one of the
prohibited degrees unless the employee has
been employed continuously by the City for a
period of at least one year prior to the Council
member's election.

In addition, no personnel action will be taken
that would result in any employee supervising
another employee who is related within the
second degree by marriage or the third degree
by blood to the supervisory employee without
approval of the Mayor.

61 **F. Age requirements:**

62 Persons under sixteen (16) years of age will
63 not be employed in any position. Persons
64 under eighteen (18) years of age will not be
65 hired as equipment or vehicle operators.
66 Persons under twenty-one (21) are not eligible
67 for service as police officers.
68 Other age limitations will be only those
69 required by state or federal law and applicable
70 to the City.

71 **G. Vacancies:**

72 Vacancies on the City staff are filled on the
73 basis of merit, whether by promotion or by
74 initial appointment. Selections of the best-
75 qualified persons are made only on the basis
76 of occupational qualifications and job related
77 factors such as skill, knowledge, education,
78 experience, and ability to perform the specified
79 job.

80 **H. Method of recruitment and selection:**

81 The City Administration uses four
82 methods of recruiting and selection to fill
83 vacancies: (1) promotion from within;
84 (2) lateral transfer from within; (3) public
85 announcement and competitive
86 consideration of applications for
87 employment; or (4) selection from a
88 valid current eligibility list.

89 **I. Categories of employment:**

90 REGULAR SALARIED: Salaried employees
91 are not eligible for overtime pay, but may under
92 certain circumstances be eligible for
93 compensatory time.
94 REGULAR FULL-TIME HOURLY: A regular
95 full-time employee is employed to hold an
96 authorized position that involves, on the

1 average, forty hours per week. Regular full-
 2 time employees are eligible for all employee
 3 benefits.
 4 **REGULAR PART-TIME HOURLY:** A regular
 5 part-time employee is employed to hold an
 6 authorized position that involves, at least
 7 thirty, but fewer than forty work hours per
 8 week. Regular part-time employees receive
 9 fringe benefits as approved by the Mayor.
 10 **FLEXIBLE-HOURS PART-TIME HOURLY:** An
 11 employee employed to hold an authorized
 12 position that involves on the average, fewer
 13 than thirty work hours per week, scheduled as
 14 agreed between the employee and supervisor.
 15 Flexible-hours part-time employees receive
 16 fringe benefits as approved by the Mayor.
 17 **TEMPORARY:** A temporary or seasonal
 18 employee is an employee hired to complete a
 19 specific project within a specified period of
 20 time. Temporary employees may be full-time
 21 or part-time.

22 **J. Background check:**
 23 The City may conduct a driving record or
 24 criminal background check of an employee or
 25 a job applicant at any time. The City may
 26 obtain driving record or criminal history record
 27 information maintained by the Department of
 28 Public Safety, the Federal Bureau of
 29 investigation, or any other local, state, or any
 30 national governmental entity. Unless the
 31 information is a public record at the time the
 32 City obtains the information under this
 33 subsection, the information is confidential and
 34 the City may not release or disclose the
 35 information to any person except under a court
 36 order or with the permission of the applicant or
 37 employee.”.

38 **IV. EMPLOYEE COMPENSATION**
 39 **AND ADVANCEMENT**

40 **A. Paydays and details:**
 41 The pay period for the City of Clifton is bi-
 42 weekly. Paychecks will normally be signed
 43 and issued before noon every other Friday.
 44
 45 If a payday falls on a holiday, checks will be
 46 issued on the last working day preceding the
 47 holiday.
 48
 49 **CHECK DISTRIBUTION:** Paychecks will not
 50 be issued other than on the days set out

51 above. No pay advances or loans will be
 52 made to any employee for any reason.
 53
 54 **PAYROLL DEDUCTIONS:** Deductions can be
 55 made as applicable from any employee’s pay
 56 for the following:
 57 Unused travel advance cash
 58 Federal Income Taxes
 59 Social Security
 60 TML Retirement System contributions
 61 Any other deductions required by law
 62 Medical insurance for employee (dependent
 63 coverage optional)

64 **B. Merit increases:**
 65 Merit increases may be granted for
 66 exceptionally consistent exceptional
 67 performance. Merit increases must be
 68 approved by the Mayor and must be
 69 within authorized budget limits.

70 **C. License and certification :**
 71 **PUBLIC WORKS:**
 72 Operation of City wells, surface water
 73 treatment plant, water distribution
 74 system, wastewater treatment plant, and
 75 certain other jobs requires state licensed
 76 operators. The Director of Public Works
 77 is responsible for selecting employees
 78 to be trained and educated for
 79 certification in the department. The City
 80 offers incentive pay to employees who
 81 meet and maintain certain state
 82 requirements for licensing. There is no
 83 incentive for obtaining a Class A water
 84 or sewer plant operator license because
 85 the Texas Commission on
 86 Environmental Quality does not require
 87 that level of licensing. Increases will
 88 begin on the day that official notice is
 89 available to the City Secretary from
 90 TCEQ, either in writing, or by posting on
 91 the Internet.
 92

Gross hourly increase	Class D	Class C	Class B
Public Water System Operator - 1st certif each add'l certificate	\$0.250	\$0.50	\$1.00
Wastewater Treatment Plant Operator	\$0.250	\$0.50	\$1.00

Customer Service Inspector	\$0.10		
Certified Pool Operator	\$0.25		
Pesticide Applicator	\$0.10		
Gross annual pay increase @ 40 hrs/week x 52 wks			
	Class D	Class C	Class B
Public Water System Operator - 1st certif	\$520	\$1,040	\$2,080
each add'l certificate		\$208	\$208
Wastewater Treatment Plant Operator	\$520	\$1,040	\$2,080
Customer Service Inspector	\$208		
Certified Pool Operator	\$520		
Pesticide Applicator	\$208		

**POLICE DEPARTMENT
CERTIFICATION:**

The City offers incentive pay to officers who meet and maintain state requirements for certification through the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE). Increases are effective on the day that official notice is available to the City Secretary from TCLEOSE, either in writing, or by posting on the Internet
Intermediate certificate = \$50/month,
Advanced certificate = \$100/month
Masters certificate = \$150/month

COURT CLERK CERTIFICATION: The City offers incentive pay to a court clerk who meets and maintains state requirements for certification through the Texas Municipal Courts Education Center. Increases are effective on the day that official notice is available to the City Secretary from TMCEC, either in writing, or by posting on the Internet
Level I Court Clerk = \$0.25 per hour (requires 40 hours training)
Level II Court Clerk = \$0.50 per hour (requires additional 40 hours training)
Certified Municipal Court Clerk= \$1.00 per hour (requires a court administrators program and 28 additional hours of training)

D. Promotions:

A promotion is a change in the duty assignment of an employee from a position in one classification to a position in another classification in a

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

Promotions are approved by the Mayor within the staffing pattern and budget limits approved by the City Council. Upon promotion, an employee is considered probationary in the new position for a period of ninety days and may be returned to a lower job classification at any time during this period if performance does not merit the promotion.

E. Demotions:

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

V. WORK SCHEDULE AND TIME REPORTING

A. Workweek:

A normal work week consists of forty hours, Thursday through Wednesday. Morning and afternoon breaks of fifteen minutes each may be taken during work, provided it is convenient and compatible with the work being done. Work breaks are a privilege, not a right. Break time does not accumulate if not taken. Lunch breaks of one hour are permitted. On a case-by-case basis, the employee's direct supervisor is authorized to award compensatory time (finishing the same work day earlier than scheduled) for time worked during a lunch break.

B. Schedule adjustments:

The police chief will develop the work schedule for patrol officers, in consultation with the Mayor. Each

1 department will determine specific 50
 2 hours, with consultation and approval of 51
 3 the Mayor. 52
 4
 5 City Hall offices are open to the public 53
 6 from 8:30 a.m. to 4:30 p.m. and will 54
 7 remain open during the noon hour. 55
 8 Lunch periods for office employees may 56
 9 be staggered according to the 57
 10 requirement of the City. 58
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C. Overtime worked:

For employees who are covered by the overtime provisions of the Fair Labor Standards Act (FLSA), the policy of the City is to pay the employee one and one-half times the employee's regular hourly rate for each hour of overtime worked or to grant equal time off (comp time) in lieu of overtime pay. If comp time is taken, it must be taken in the same pay period, or within two working days after.

OVERTIME ELIGIBILITY does not begin until an employee has actually worked 40 hours during a calendar week, Thursday through Wednesday. Time off for sick leave, vacation, or other approved absence is paid time, but it does not count toward the 40 hours necessary to reach the overtime scale. Example: An employee works 4 days and takes Friday off for sick leave. A call out occurs for 4 hours on Saturday. The employee earns 44 hours at regular pay for that week.

Overtime by employees covered under FLSA must be authorized in advance whenever possible by the Mayor, and specifically approved by the employee's supervisor. It is the department head's responsibility to insure that overtime is within budget.

SALARIED EMPLOYEES are exempt from the overtime provisions of the FLSA and are expected to render necessary and reasonable overtime

services with no additional compensation in most circumstances. The Mayor can authorize compensatory time or pay for salaried employees on a case-by-case basis.

BUY-BACK (the employee is paid in lieu of vacation taken) of up to one-half of annual vacation time of an employee may be authorized by the Mayor, but only in circumstances where the sole purpose is to avoid paying overtime rates. Application for buy-back of vacation time will be made via a letter to the Mayor, signed by the employee, with signed approval by his supervisor. Buy-back will be at straight time rates.

D. Time reporting:

Timesheets must be maintained daily by all employees and signed by the employee's supervisor. Each department head is responsible for ensuring that all hours worked and leave time taken are reported on the time sheets sent to payroll.

Timesheets will be submitted to supervisors/department heads for review the Thursday morning following the end of the current every-other Wednesday pay period cycle. Supervisors and department heads are responsible for submitting approved timesheets to the City Secretary the same Thursday, before noon if possible. To give employees time to complete timesheets reflecting actual hours worked through Wednesday, to give supervisors time to review timesheets and clear up questions and to give Payroll time to prepare the checks, starting January 1st 2008, paychecks will normally be signed and issued before noon Friday.

E. Absence from work:

To assure accurate recording of time worked, vacation time, and sick time, employees must notify the City

Secretary as soon as practical when absent from any work day. Failure to notify in a timely manner may result in disciplinary action including loss of pay for time not worked or dismissal.

program, and the City pays the premium.

E. Unemployment insurance:

All employees of the City are covered under the Texas Unemployment Compensation Insurance Program, and the City pays the tax.

F. Vacation and leave time:

VACATION LEAVE FOR REGULAR FULL-TIME EMPLOYEES hired after 3/31/2002:

- 1st through 5th year of service - 10 days (80 hours) per year
- 6th through 10th year of service - 12½ days (100 hours) per year
- 11th year and beyond - 15 days (120 hours) per year

VACATION LEAVE FOR REGULAR FULL TIME EMPLOYEES hired Prior to March 31, 2002:

- 1st thru 5th year of service - 10 days (80 hours) per year
- 6th thru 15th year of service - 15 days (120 hours) per year
- 16th thru 25th year of service - 20 days (160 hours) per year
- 26th year and beyond - 25 days (200 hours) per year

APPROVAL OF LEAVE: The employee's immediate supervisor must approve all leave taken by City employees. Copies of the signed leave forms are sent to the City Administrator's office and the City Secretary for inclusion in the employee's personnel file.

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

VACATION LEAVE: All regular employees of the City are entitled to vacation leave. After the completion of the probationary period, five workdays or forty hours of vacation leave are credited to all regular full-time employee

VI. BENEFITS

A. Medical, disability, and life insurance:

For regular full-time employees working 30 or more hours per week, the City of Clifton provides

- group hospitalization
- medical, dental and optical insurance coverage as well as
- life and disability insurance.

The City pays premiums for regular employees that work 30 hours or more per week. An eligible employee may add medical/hospitalization coverage for dependents at the employee's option.

The City Council may, subject to budgetary constraints, elect to pay a portion of dependent coverage.

Enrollment is subject to acceptance by the health insurance carrier.

B. Social security:

All employees of the City are covered by Social Security. The City matches each employee's contribution to the Social Security System dollar for dollar.

C. Retirement:

The City is a member of the Texas Municipal League Retirement System. Membership in the retirement system is mandatory for all regular full-time employees. Both the employee and the City contribute to the employees' retirement account. Employees who leave City employment prior to retirement will be refunded their portion of the retirement account plus interest earned on their portion.

D. Workers compensation:

All employees of the City are covered by the workers' compensation insurance

1 accounts. The city cannot advance vacation
2 leave. Vacation leave cannot be taken nor will
3 it be paid upon separation during the six-month
4 probationary period. Upon completion of six
5 months' probation period, 40 hours of vacation
6 will be credited to the employee, immediately
7 available for use with supervisor approval.
8 Thereafter, a proportionate number of vacation
9 hours will be credited to each employee at
10 each pay period. Example : 3.08 hours {80
11 hours divided by 26 pay periods} per biweekly
12 paycheck for employees earning 80 hours per
13 year.
14
15 **VACATION ACCRUAL:** Regular part-time
16 employees earn vacation leave in the
17 proportion the employee's work time bears to a
18 forty hour workweek. Temporary employees
19 do not earn vacation leave. Regular full-time
20 and regular part-time employees may accrue
21 up to the previous three years' vacation.
22 Vacation accrued in excess of the previous
23 three year total must be used before the day
24 following the anniversary date, or will be lost.
25 Example: an employee's first day is May 1st
26 2002. On May 2nd, 2003 he will be credited 80
27 hours vacation. If he uses none, on May 2nd,
28 2004 he will be credited 80 more hours
29 vacation for a total of 160 hours. If he again
30 uses none, on May 2nd, 2004 he will be
31 credited 80 more hours vacation for a total of
32 240 hours, the maximum 3 year accrual
33 allowed. Before May 2nd, 2005, he must use at
34 least 80 hours of vacation time or lose it. If he
35 uses fewer than 80 hours vacation during the
36 year, on May 2nd his total accrual will still be
37 240 hours – the excess will be lost.
38
39 **MEDICAL STATEMENT:** The City may
40 request, and employees must provide upon
41 request, written verification by a physician of
42 medical disability precluding availability for
43 duty at any time that sick leave benefits are
44 requested.
45
46 **SICK LEAVE ACCRUAL:** Regular full-time
47 employees are entitled to paid sick leave after
48 the completion of the six-month probationary
49 period. Fifteen (15) days (total of 120 hours)
50 are credited per full year of service, Ten hours
51 are credited on the last day of each month and
52 reflected on the first paycheck stub of the
53 following month. Paid sick leave accumulates
54 but cannot be taken during the six-month
55 probationary period. Sick leave may

56 accumulate to a maximum of 90 days. The city
57 cannot advance sick leave.
58 Regular part-time employees earn sick leave in
59 the proportion the employee's work time bears
60 to a regular forty hour workweek. Paid sick
61 leave accumulates but cannot be taken during
62 the six-month probationary period.

USE OF SICK LEAVE: Sick leave can be used
after six months' employment. Employees
must notify their supervisor of the need to be
placed on sick leave not later than the first day
of absence, preferably at the beginning of the
first workday absent. Sick leave can be used
by an employee to care for family members.
Failure to do so may result in the employee's
being placed on leave-without-pay status and
could result in disciplinary action against the
employee. Employees are expected to return
to work as soon as their reason for leaving has
been corrected. Sick leave may not be used
as personal time or vacation; an employee who
abuses sick leave will be subject to disciplinary
action including loss of pay for unworked hours
and termination.

SICK LEAVE CANCELLATION: Unused sick
leave is cancelled without compensation when
employment with the City ends.

PREGNANCY: The use of paid sick leave,
paid vacation leave, and unpaid leave for
pregnancy or maternity is permissible to extent
necessary for medical reasons (doctor's visits,
illness, hospitalization, and recovery). A
doctor's statement may be required. The City
will hold the job for an employee on paid or
unpaid maternity leave for a period not to
exceed twelve weeks of total time off due to
any one pregnancy .

**ADMINISTRATIVE AND EMERGENCY
LEAVE:** The Mayor, City Administrator or
supervisor is authorized to grant administrative
or funeral leave to an employee when
warranted by circumstances not otherwise
provided for in these policies.

FUNERAL LEAVE: Funeral leave with pay
may be granted for reasons of a death in an
employee's immediate family. For purposes of
funeral leave, family includes spouse, child,
parent, brother, sister, uncle, aunt, nephew,
niece and grandparents of an employee or
employee's spouse. Funeral leave with pay is

1 limited to no more than three days per
2 occurrence.
3
4 **UNAUTHORIZED ABSENCE:** An
5 unauthorized absence is one in which the
6 employee is absent from regular duty without
7 prior permission of the supervisor or
8 department head. Employees are not paid for
9 unauthorized absences and such absences
10 are cause for disciplinary action including
11 dismissal.
12
13 **ABANDONMENT OF POSITION:**
14 Unauthorized absence from work for a period
15 of two consecutive working days will be
16 considered by the City as a resignation. Unless
17 the Mayor determines otherwise, the employee
18 is not eligible for re-employment.
19
20 **G. Holidays:**
21 **GENERAL POLICY:** The following are
22 observed as paid holidays for regular
23 employees of the City.
24 • New Year’s Day (January 1)
25 • Good Friday
26 • Memorial Day (Last Monday in May)
27 • Independence Day (July 4)
28 • Labor Day (First Monday in
29 September)
30 • Thanksgiving Day (Fourth Thursday
31 in November)
32 • Friday after Thanksgiving
33 • Christmas Eve (December 24)
34 • Christmas Day (December 25)
35 • One Personal Day (holiday of
36 choice)
37 The Mayor may designate other holidays in
38 accordance with direction from the City
39 Council. An employee who is absent without
40 leave on the workday immediately preceding or
41 following a holiday will not be paid for the
42 holiday.
43
44 **HOLIDAY FALLING ON SATURDAY OR**
45 **SUNDAY:** Whenever a legal holiday listed
46 above falls on a Saturday or Sunday, it will be
47 observed on the Friday preceding or the
48 Monday following as the Mayor and City
49 Council determines.
50
51 **WORK DURING HOLIDAYS:** It is not always
52 feasible to grant holidays at the scheduled

53 time, especially for employees assigned shifts
54 of an “around-the-clock” operation. Any
55 department head that finds it necessary to do
56 so may direct some or all employees to work
57 an emergency on a call out basis or the entire
58 shift. Employees will be paid double time for
59 hours worked on a holiday. In lieu of double
60 time, upon approval of his supervisor, an
61 employee who works on a holiday may take
62 compensatory (comp) time off within the next
63 two week pay cycle for City Office and Public
64 Works employees or within the next 160 hour /
65 one month rotating duty cycle for officers of the
66 Police Department. Holiday comp time does
67 not accrue, and will be lost if not paid or used
68 as described here. Only holiday hours actually
69 worked can be counted toward the 40 hour
70 overtime threshold.
71
72 **PAY RATE & HOURS:** Employees will be paid
73 double the regular hourly rate for hours worked
74 on a holiday. Employees who do not work on
75 holidays will be paid for eight hours at their
76 regular hourly
77
78 **POLICE OFFICER HOURS:** Because the
79 Police Department schedules officers’ work
80 hours to provide 24x7 coverage, the city needs
81 a consistent procedure for designating “holiday
82 hours” when police department shifts span the
83 holiday period. For purposes of payroll, hours
84 worked are to be recorded in timesheets on the
85 day the shift begins. Example – Officer “A”
86 works from 9PM July 3rd through 9AM July 4th
87 . Officer “B” works from 9AM July 4th through
88 9PM July 4th. Officer “C” works from 9PM July
89 4th through 9AM July 5th . The timesheets
90 from Officers “B” and “C” will reflect 12 hours of
91 double-time each. The timesheet from Officer
92 “A” will reflect 12 hours regular time.
93
94 **HOLIDAY PAY EXAMPLES:** When a
95 scheduled workday falls on a city holiday,
96 regular full time employees will be paid 8 hours
97 straight time hours. If the holiday does not fall
98 on a scheduled workday or during scheduled
99 work hours, holiday pay does not apply. If the
100 employee is required to work that day,
101 compensation will be at double time for the
102 hours actually worked.
103 Employees scheduled to work regular days
104 and hours will be compensated as follows for
105 holidays (see exception for Police Department
106 above). When a scheduled workday falls on a
107 city holiday, the employee will be paid straight

1 time hours for 8 hours normally scheduled that
2 day. If the employee is required to work that
3 day, compensation will be at double time for
4 the hours actually worked, and straight time for
5 the remainder up to 8 hours. Examples –
6 Employee A is a regular full time employee and
7 works 12 hours on July 4. Employee A's
8 timesheet will reflect 12 hours worked and will
9 be paid double time for all 12 hours.
10 Employee B is a regular full time employee and
11 works 3 hours on July 4. Employee B's
12 timesheet will reflect 3 hours worked and 5
13 hours holiday time and will be paid straight
14 time for the 5 hours plus double time for the 3
15 hours
16 Employee C is a regular part-time employee
17 scheduled to work from 12PM through 4PM on
18 Wednesday, Thursday, and Friday each week.
19 This year July 4th is on a Tuesday, so
20 Employee C will not receive holiday pay for
21 July 4th this year. Next year, July 4th is on
22 Thursday, so Employee C will receive holiday
23 pay for 4 hours. If Employee C is required to
24 work 3 hours next July 4th, those 3 hours
25 actually worked will be paid at double time and
26 the remaining regularly scheduled 1 hour will
27 be paid at straight time.
28 Employee D is a part-time employee with
29 flexible hours, meaning workdays and hours
30 are not scheduled. Employee D and his
31 supervisor will schedule around holidays.
32 Employee D does not qualify for holiday pay.
33 Employee E is a temporary employee and is
34 not eligible for holiday pay.

35 VII. HEALTH AND SAFETY

36 A. Safety policy:

37 It is the policy of the City to make every
38 effort to provide healthful and safe
39 working conditions for all its employees.
40 It is the responsibility of each employee
41 to report unsafe or hazardous
42 conditions.

43 B. Employee responsibilities and 44 reports:

- 45 • Employees are responsible for
46 conducting their work activities in a
47 manner that is protective of their own
48 health and safety, as well as that of
49 other employees.

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An employee must report every on-the-job
accident, no matter how minor, to his or her
supervisor. The supervisor is responsible for
filing all accident reports immediately with the
City Secretary.

Employees shall report immediately to their
supervisors and the City Administrator or City
Secretary any condition that in their judgment
is unsafe or hazardous.

Employees are NOT exempt from traffic laws
and are consequently required to wear
seatbelts when driving city vehicles on public
streets and to obey stop signs and posted
speed limits. Employees may be ticketed and
fined for not wearing seatbelts.

C. On-the-job injury insurance:

The City provides workers' compensation
insurance for all its employees. This insurance
provides medical expenses and a weekly
payment if an employee is absent from work
because of a bona fide, on-the-job, work
related injury for more than seven days.

D. Medical attention:

An employee who sustains a bona fide, on-the-
job, work related injury may seek medical
attention from the medical facility or
professional of his or her choice. The City
requires statements of medical condition and
of release to return to work from the attending
physician. An employee may be required to
submit to an examination by an independent
physician as determined by the City Secretary
at the City's expense as a condition to being
permitted to return to work.

84 VIII. USE OF CITY PROPERTY

85 A. Use of tools, equipment, vehicles, 86 and property:

87 City-owned tools, equipment, vehicles and
88 property may not be used on private property
89 or to directly benefit any individual, private
90 party or privately owned organization.

91 No personal use of any City property,
92 materials, supplies, tools, equipment, or
93 vehicles is permitted unless an exception is
94 granted in writing by the Mayor or department
95 head.

96 Employees who are assigned tools,
97 equipment, vehicles, or any other City property

1 by their departments are responsible for them
2 and for their proper use and maintenance.
3 Employee uniforms may not be worn while
4 performing any other job or participating in any
5 public activity likely to embarrass the City.
6 Violations may result in discharge and possible
7 prosecution.

8 **B. Valid drivers license:**

9 All operators of City vehicles and equipment
10 are required to have a valid State of Texas
11 drivers' license necessary for that vehicle or
12 equipment and to keep supervisors informed of
13 any change of status in their license.

14 The Police Department and City Secretary may
15 periodically check the driving records of all City
16 employees who operate City vehicles. Failure
17 to maintain a safe driving record may be
18 grounds for disciplinary action and/or
19 dismissal.

20 **C. Accident reporting:**

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

25 Any vehicular accident, no matter how minor,
26 must be reported to the Police Department so
27 that an official accident report can be filed.

28 The Police Department shall notify the City
29 Secretary by delivering a copy the accident
30 reports involving City equipment or vehicles as
31 soon as the investigation is completed. Copies
32 also must be sent to the department
33 supervisor.

- 49 • failure to observe the city's policy regarding
50 communications with the public and news
51 media;
- 52 • falsification of documents or records;
- 53 • incompetence, neglect of duty or disruptive
54 behavior , including withholding knowledge
55 or information which impairs the
56 performance of others.
- 57 • Insubordination, including refusal to work,
58 arguing with others, threat of physical
59 violence, or general provocation;
- 60 • intoxication or drug abuse while on duty, in
61 city uniform, while on city property or in a
62 city vehicle;
- 63 • sexual harassment by any city employee;
- 64 • unauthorized use of official information or
65 unauthorized disclosure of confidential
66 information;
- 67 • unauthorized use of public funds, tools,
68 equipment, vehicles or property;
- 69 • unauthorized use or abuse of official
70 authority;
- 71 • violation of the requirement of these
72 personnel policies;

73 **B. Progressive discipline:**

74 The Mayor may take disciplinary action,
75 including dismissal, affecting an
76 employee at any time. The severity of
77 the discipline depends upon the nature
78 of the infraction. To the extent practical,
79 the City uses a progressive discipline
80 system as follows:

- 81 ORAL WARNINGS with records of each
82 warning maintained by the supervisor;
- 83 WRITTEN REPRIMANDS which the supervisor
84 must in all cases cause to be transmitted to the
85 City Secretary and then to the employee's
86 personnel file;
- 87 SUSPENSION from duty, with or without pay,
88 for up to thirty (30) days and renewable after
89 informal review of the circumstances;
- 90 SEPARATION by involuntary dismissal.

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

93 Except in the case of oral warnings,
94 disciplinary action must be accomplished or
95 preceded by oral or written notice to the
96 employee involved. Notice includes a
97 description of the reason for the action and,
98 except in the case of dismissal, states the
99

34 **IX. DISCIPLINE**

35 **A. Cause:**

36 Disciplinary action may be taken against any
37 employee for actions including, but not limited
38 to the following:

- 39 • absence without leave: including absence
40 without permission, failure to notify a
41 supervisor of sick leave, and repeated
42 tardiness or early departure;
- 43 • conviction of a felony;
- 44 • conviction of official misconduct or
45 oppression or of perjury;
- 46 • endangering the safety of the employee
47 and/or other persons through negligent or
48 willful acts;

1 likely consequences of further unsatisfactory
2 performance or conduct. Written notice of
3 disciplinary action is included in the
4 employee's file.
5
6 Other than dismissal, disciplinary action does
7 not automatically or permanently disqualify an
8 employee from consideration for future
9 promotion, pay increases, commendations, or
10 other beneficial official personnel actions.

11 **C. Exception to progressive discipline:**
12 Progressive discipline policies
13 notwithstanding, an employee may be
14 dismissed with or without cause at any time.
15 Nothing in this manual shall be construed to
16 limit the Mayor and City Council's right to
17 exercise its prerogative as an "at will"
18 employer.

19 **X. SEPARATION FROM**
20 **EMPLOYMENT**

21 Separation from employment may occur for a
22 variety of reasons:

23 **A. Resignation:**
24 An employee who intends to resign must notify
25 his or her supervisor in writing at least ten
26 working days prior to the last day of work. The
27 supervisor is responsible for immediately
28 notifying the City Secretary and City
29 Administrator or Mayor.

30
31 An employee who resigns without sufficient
32 notice is subject to having a written reprimand
33 placed in his or her file documenting this
34 violation of personnel policies and will not be
35 paid any vacation time accumulated in the
36 current fiscal year, unless there is a valid
37 reason approved by the Mayor for not giving
38 sufficient notice. Any vacation time accrued
39 (up to the three-year accrual limit) during prior
40 year(s) will be paid.

41 **B. Retirement:**
42 The same notice requirements for resignation
43 apply in the case of retirement except that a
44 longer period of advance notice may be
45 necessary to start retirement payments
46 promptly. The retiree is responsible for
47 knowing and meeting such notice
48 requirements.

49 **C. Reduction in force:**
50 An employee may be separated when his or
51 her position is abolished, or when there is
52 either a lack of funds or lack of work. When
53 reduction in force is necessary, decisions on
54 individual separations will be made after
55 considering (1) the relative necessity of each
56 position to the organization (2) the
57 performance record of each employee, and (3)
58 qualifications of the employee for remaining
59 positions.
60

61 When a regular employee who has completed
62 the probationary period is dismissed as a result
63 of a reduction in force, he or she will be given a
64 minimum of two weeks written notice and paid
65 in full to the time of discharge including
66 accrued benefits.

67 **D. Dismissal:**
68 Any employee may be dismissed, with or
69 without cause, at any time. Ordinarily,
70 dismissal occurs when, in the judgment of the
71 supervisor and the Mayor, the quality and
72 performance of the employee's work does not
73 merit continued employment.

74
75 Temporary, probationary, or seasonal
76 employees are employed at will and may be
77 dismissed with or without cause at any time
78 without prior notification.

79
80 Prior to dismissal, a regular employee who has
81 satisfied the probationary period will be given
82 an oral or written notice and will be granted an
83 opportunity to present to the Mayor and City
84 Council reasons why dismissal should not
85 occur. Reasons can be presented to the City
86 Council orally or in writing at the employee's
87 option. The decision of the City Council
88 regarding dismissal is final.

89 **E. Disability:**
90 An employee will be separated when an
91 appointed physician determines that, for
92 physical or mental reasons, the employee
93 cannot perform the duties of the job. The City
94 Secretary will appoint a physician who will
95 examine the employee and make his or her
96 recommendation(s) to the City. The City will
97 pay for the examination.

98
99 Voluntary separation based on disability must
100 be substantiated by medical evidence if the

1 disability may be a factor or condition of a
2 retirement plan covering the employee.
3 Employees separated for reasons of disability
4 will receive two weeks severance pay and
5 accrued vacation pay.

6 **F. Death:**

7 If a City employee dies, his or her estate
8 receives all pay earned and payable benefits
9 as of the date of death.

10 **G. Separation pay:**

11 Upon separation from City employment, a
12 regular employee who has completed at least
13 six months of continuous employment will be
14 paid for accrued and unused vacation leave,
15 provided that the employee has given the City
16 ten (10) working days' written notice prior to his
17 or her last day of work. If the employee fails to
18 give ten (10) working days' written notice, he or
19 she will not be paid for vacation time accrued
20 in the same fiscal year.

21 The employee will receive his or her final
22 paycheck on the scheduled payday that falls
23 immediately following the employee's last
24 workday.
25

26 **H. Exit interviews and records:**

27 Reason(s) for separations are to be stated in
28 writing, signed by the supervisor, and, except
29 in unusual circumstances, initiated by the
30 employee. The supervisor of an employee
31 who is separated shall discuss the reason(s)
32 for the separation in an exit interview whenever
33 possible.

34 **XI. GRIEVANCES**

35 **A. Grievance policy:**

36 It is the policy of the City insofar as possible to
37 prevent the occurrence of grievances and to
38 deal promptly with those that occur. No
39 adverse action will be taken against an
40 employee for reason of his or her exercise of
41 the grievance right.

42 A grievance may be filed by an employee on
43 one or more of the following grounds: improper
44 application of rules, and procedures (but not
45 the rules, regulations, and procedures
46 themselves); unfair treatment; sexual
47 harassment; illegal discrimination based on
48

49 race, religion, color, sex, age, handicap, or
50 national origin; disciplinary action taken without
51 explanation; improper application of fringe
52 benefits; or improper working conditions.

53
54 The City of Clifton follows a progressive
55 grievance procedure which ensures the
56 employee due process in the City's
57 consideration of his or her work-related
58 grievances; the right to be represented, the
59 right to mount a defense, and the right to
60 written response(s) regarding resolution of the
61 grievance.

62
63 If the employee's grievance is related to
64 alleged sexual harassment or discrimination by
65 the employee's immediate supervisor on the
66 basis of race, religion, sex, national origin, age
67 or handicap, then the initial written grievance
68 may, at the employee's option, be submitted
69 directly to the City Secretary, City
70 Administrator, or Mayor.

71 **B. Final authority:**

72 Grievances may be appealed to the City
73 Council, provided that the appeal is delivered
74 to the City Secretary within one week after
75 action on the grievance by the Mayor. The
76 City Council's decision is final.

77 **XII. PERFORMANCE EVALUATION**
78 **AND PERSONNEL FILES**

79 **A. Employee performance evaluation:**

80 Supervisory personnel may conduct a
81 written performance evaluation and an
82 evaluation interview with each City
83 employee at least annually.

84 Performance evaluation records shall be
85 maintained in each employee's
86 personnel file. An example evaluation is
87 included in this manual.

88 **B. Personnel files:**

89 The City Secretary maintains personnel
90 files. The record copy of all personnel
91 information related to an employee shall
92 be filed in the employee's personnel file.
93 Information in an employee's personnel
94 file may be public subject to disclosure.
95 No person or organization shall give out
96 information in an employee's file to the

1 public unless cleared by the City
2 Attorney.

3
4 An employee or his or her
5 representative designated in writing may
6 examine the employee's personnel file
7 upon request during normal City office
8 hours.

9
10 Each employee may choose whether
11 the City discloses the employee's home
12 address and telephone number to the
13 public on request. If a new employee
14 does not request confidentiality within
15 the first fourteen (14) days of
16 employment, the home address and
17 telephone number on file are considered
18 public information. However,
19 employees may change their election for
20 disclosure or confidentiality at any time.
21 Only the City Secretary and the City
22 Administrator can authorize access to
23 the personnel files.

24
25 Employees are expected to keep
26 information in their personnel file
27 current.

28 **XIII. REIMBURSEMENT OF** 29 **EXPENSES**

30 **A. General policy:**

31 The policy of the City is that employees
32 are to be reimbursed for necessary and
33 job-related expenses incurred in the
34 authorized conduct of City business. All
35 requests for reimbursements of
36 expenses are subject to requirements of
37 documentation and reasonableness,
38 and will be honored in conformance with
39 adopted policies and procedures.
40 Expenses that are not permitted under
41 the terms of grants, contracts or
42 agreements with other agencies will not
43 be charged as costs to these grants,
44 contracts or agreements.

45 **B. Out-of-city travel:**

46 Out-of-City travel by City employees is
47 permissible provided that it is authorized
48 in advance by the department head and
49 does not exceed department budgetary
50 limitations. Reimbursement for out of
51 town travel is based on the most
52 economical conveyance that is
53 reasonably available. Mileage is
54 reimbursed at the nontaxable rate
55 allowed by Internal Revenue Service at
56 the time the mileage is incurred.

57 **C. Subsistence expenses:**

58 Mileage compensation for personal
59 vehicles between cities will be paid
60 using
61 [https://fmx.cpa.state.tx.us/fmx/travel/text
62 ravel/trans/personal.php](https://fmx.cpa.state.tx.us/fmx/travel/text_ravel/trans/personal.php)
63

64 The city will pay hourly employees for
65 travel on city business on the following
66 basis:

- 67 • Unless specifically approved by your
68 supervisor, overtime for travel is not
69 authorized.
- 70 • By expressed permission of the City
71 Administrator, or if the meeting or
72 class the employee is to attend is
73 100 miles or more away starts before
74 10 AM, the employee is authorized
75 to travel the day before. The
76 employee may leave work the
77 previous day and will be paid per the
78 expected travel time described
79 above.

80 Example: Employee A has an 8AM class on
81 Wednesday in Pearland, which is listed on the
82 web site as 227.6 miles. He works 3.5 hours
83 Tuesday morning, goes to lunch for half an
84 hour and leaves at noon Tuesday. His
85 calculated allowable travel time is 4.5 hours
86 (227.6 divided by 50). His timesheet for
87 Tuesday should show 8 hours total, including
88 4.5 hours of travel time and 3.5 hours that
89 count towards his 40 hour weekly overtime
90 threshold.

91
92
93 For expenses, the city will follow
94 guidelines at

<https://fm.x.cpa.state.tx.us/fm/travel/travelrates.php>

The city will reimburse for travel expenses one of these ways - per actual original receipts (if there is no original receipt; no reimbursement will be paid) actual lodging expenses (original receipt required) plus a fixed Meals & Incidental Expenses (M&IE) "per diem" amount (no receipts required), or if no receipts are supplied, a flat maximum lodging rate plus M&IE per diem will be paid as defined at:

<https://fm.x.cpa.state.tx.us/fm/travel/travelrates.php>

Travel Advances/prepaid lodging because the City does not issue credit cards to everyone and employees may not want to carry large sums to cover lodging, the City Secretary may make pre-authorized lodging arrangements that will be billed directly to the City.

The City Secretary may issue travel advancement funds for an amount expected to cover expenses. Before the next paycheck, the traveling employee must complete an expense report and either reimburse the City for any portion of the advance that remains unspent or sign a form allowing the City to deduct the amount from that paycheck. If the expense report and excess funds are not received before then next timesheet, the entire amount of the advance may be deducted from the next paycheck.

D. Limitations:

Costs of personal entertainment, liquor, amusements or social activities are not allowed for reimbursement.

E. Training policy:

All City employees are encouraged to improve skills and capabilities by participating in training courses that lead to or maintain state required licenses or certification. The City Secretary will keep individuals advised of training courses that are available in their particular field.

Department heads will make sure that as many of their staff as possible have proper certification to qualify them for doing the best

job possible for the City while improving their chances for promotion and furthering their careers.

Unless and until the State requires the City of Clifton to employ Class A licensed operators, the City will only fund classes that exceed requirements of Class B licensing if they are required for continuing education credits and are approved by the City Administrator.

It shall be the responsibility of department heads to ensure that money is provided in their budget requests for projected tuition and other expenses incurred for training courses and schools.

The City Administrator must approve any training or schools that have any cost to the City before the cost is incurred. No unauthorized expenses will be reimbursed. If the City Administrator is not available prior to the anticipated time of departure then the Mayor should be consulted.

Overtime pay may be authorized when employees are required to attend classes or training sessions in addition to their regular shift duty. Funds spent for training and education will be limited to the amount budgeted unless approved by the Mayor and City Council.

XIV. DRUG AND ALCOHOL POLICY

This policy is designed to prohibit and prevent the use of drugs and alcohol by employees while at work and to prohibit and prevent employees from performing their duties while under the influence of drugs and/or alcohol.

POLICY STATEMENT:

Whereas, it is the policy of the City to maintain a safe work environment by ensuring that no employee of the City is under the influence of alcohol or drugs during working hours, and that all personnel, equipment, and operating practices are consistent with the highest standards of health and safety; and

Whereas, it is the City's intent to abide by the guidelines established in the Drug-Free Workplace Act; and

<p>1 Whereas, all employees are expected and 2 required to report to work on time and in 3 appropriate mental and physical condition for 4 work. 5 6 Therefore, this Drug and Alcohol Policy is 7 made part of the Personnel Policies of the City 8 of Clifton. 9 10 “Drugs” means any controlled substance/or 11 analogue as defined under the Texas 12 Controlled Substances Act, and abusable glue 13 or aerosol paint as defined under Chapter 485, 14 Texas Health and Safety code. 15 16 “Alcohol” means ethanol. 17 18 The possession, manufacture, distribution, 19 dispensing or use/misuse of illegal or illicit 20 drugs and/or alcohol by employees during 21 working hours is strictly prohibited and is 22 grounds for disciplinary action up to and 23 including termination. 24 25 Employees using prescription or over-the- 26 counter medications that contain mood/mind 27 altering drugs have the responsibility to report 28 their use of the medication(s) to their 29 supervisor who may restrict the employee’s 30 activities during the period the employee is 31 using the medication(s). The misuse of 32 prescription and over-the-counter medications 33 or the use of mood/mind altering drugs that 34 interfere with job performance may be 35 considered as substance abuse. 36 37 Distribution of a legally prescribed drug is 38 prohibited and will result in disciplinary action 39 up to and including termination of both the 40 employee who distributes the drug and the 41 employee who accepts the drug. 42 43 Any employee who is convicted for any 44 criminal activity concerning the use of drugs in 45 the workplace must notify the City Secretary no 46 later than five days after such a conviction. 47 Failure to do so will result in immediate 48 termination. Any employee convicted under 49 any statute prohibiting the manufacture, 50 distribution, use or possession of drugs or 51 alcohol will be subject to appropriate 52 disciplinary action and/or rehabilitation. 53</p>	<p>54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107</p>	<p>Personnel who, in the course of their work, are expected to perform “safety-sensitive functions” such as operating a commercial motor vehicle shall be tested for drugs and alcohol under the regulations of the United States Department of Transportation, Federal Highway Administration, 29 CFR 40, as amended, to the extent that those regulations are not in conflict with any other provisions of this Policy. The City may require substance abuse testing of an employee or a job applicant at any time. While the City may take appropriate action based on the results of testing, the information from the test results are considered confidential and the City may not release or disclose that information to any person except under a court order or with the permission of the applicant. Substance abuse testing may be required as condition of initial employment, “at random” or upon a reasonable suspicion basis. Reasonable suspicion must be based upon an employee’s behavior on the job. Supervisory personnel who observe an employee who smells of alcohol or marijuana, or appears intoxicated, confused, disoriented, or uncoordinated, or exhibits marked personality changes, is involved in an on the job accident resulting in lost time, destruction of property, or injuries requiring medical attention beyond first aid, or who demonstrates obviously irrational erratic behavior shall separate that employee from all operating equipment or any other situation which may pose an immediate hazard to either the employee, the public, or co- employees. The supervisor(s) shall then immediately notify the City Administrator or City Secretary who in turn shall immediately notify the Mayor for review of the circumstances. The Mayor, City Secretary, and Supervisor(s) after review of the circumstances, shall decide whether the evidence is sufficient to warrant a drug- screening test. Prior to ordering a test, the employee shall be interviewed to determine if there is an alternative explanation for his/her condition, behavior or actions. If after that interview, the employee fails to cooperate in the substance abuse testing process, arrangements shall be made to transport him/her home. In the event of physical</p>
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1 resistance or aggression by the employee,
2 Police assistance should be summoned.
3
4 Employees who refuse testing will immediately
5 be suspended without pay and subject to
6 further disciplinary action up to and including
7 termination.
8
9 The City of Clifton recognizes drug/alcohol
10 dependency as an illness and a major health
11 problem. The City also recognizes
12 drug/alcohol abuse as a potential health,
13 safety, and security problem. Employees
14 needing help, who bring their problem to the
15 attention of their department head, will receive
16 the opportunity for assistance. While
17 conscientious efforts to seek such help will not
18 jeopardize the employee's job, failure to seek
19 such assistance may, especially if the
20 employee's job performance is impaired by
21 drug/alcohol abuse.
22
23 If there is evidence of an employee's
24 drug/alcohol abuse or other violation of this
25 policy, that employee shall be advised by the
26 Mayor and the employee's Supervisor to seek
27 and enter a rehabilitation program. During the
28 rehabilitation period, the employee shall be
29 reassigned, if necessary, to a non-safety
30 related position. Employees who refuse to
31 seek and enter a rehabilitation program
32 through a recognized treatment program, will
33 be subject to disciplinary action up to and
34 including termination. Employees who accept
35 treatment may remain employed with the City.
36 Continued employment with the City will be
37 contingent upon work performance,
38 compliance with City rules and regulations, and
39 active participation in and compliance with the
40 rules of the rehabilitation program.
41
42 An employee is subject to discharge if he/she
43 violates any provision of this substance abuse
44 policy, or refuses to participate in, fails to
45 complete or fails to act in accordance with any
46 required treatment or rehabilitation plan.
47 Conditions shall include (1) an agreement that
48 an employee's job performance will not be
49 impaired again by drug or alcohol abuse after
50 the satisfactory completion of his or her
51 program of treatment or rehabilitation and (2)
52 that the employee shall remain "drug and
53 alcohol" free.
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The City Secretary shall provide each employee with a copy of this policy. Each employee will sign a statement that he or she has received a copy of this policy and agrees to abide by its terms as a condition of employment. This signed statement will become a part of each employee's personnel file.

Any employee having questions about this Policy may contact the City Secretary, the person designated to answer such questions.

XV. IDENTITY THEFT PREVENTION PROGRAM

A. Program adoption

The City of Clifton ("City") has developed this Identity Theft Prevention Program ("Program") pursuant to the Federal Trade Commission's Red Flags Rule ("Rule"), which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. 16 C. F. R. § 681.2. This Program was developed for the office staff of the City ("Staff") with oversight and approval of the City Council. After consideration of the size and complexity of the City's operations and account systems, and the nature and scope of the Staff's activities, the City Council determined that this Program was appropriate, and therefore approved this Program on November 11, 2008.

B. Purpose and definitions

ESTABLISH AN IDENTITY THEFT PREVENTION PROGRAM
To establish an Identity Theft Prevention Program designed to detect, prevent and mitigate identity theft in connection with the opening of a covered account or an existing covered account and to provide for continued administration of the Program in compliance with Part 681 of Title 16 of the Code of Federal Regulations implementing Sections 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003.

ESTABLISHING AND FULFILLING REQUIREMENTS OF THE RED FLAGS RULE

The Red Flags Rule ("Rule") defines "Identity Theft" as "fraud committed using the identifying information of another person" and a "Red

1 Flag” (“Red Flag”) as a pattern, practice, or
 2 specific activity that indicates the possible
 3 existence of Identity Theft.
 4
 5 Under the Rule, every financial institution and
 6 creditor is required to establish an “Identity
 7 Theft Prevention Program” tailored to its size,
 8 complexity and the nature of its operation. The
 9 Program must contain reasonable policies and
 10 procedures to:
 11
 12 Identify relevant Red Flags for new and
 13 existing covered accounts and incorporate
 14 those Red Flags into the Program;
 15 Detect Red Flags that have been incorporated
 16 into the Program;
 17 Respond appropriately to any Red Flags that
 18 are detected to prevent and mitigate Identity
 19 Theft; and
 20 Ensure the Program is updated periodically, to
 21 reflect changes in risks to customers or to the
 22 safety and soundness of the creditor from
 23 Identity Theft.
 24
 25 RED FLAGS RULE DEFINITIONS USED IN
 26 THIS PROGRAM
 27 Administrator: The City Administrator.
 28 City: The City of Clifton, Texas.
 29 Covered Account: Under the Rule, a “covered
 30 account” is: Any utility account the City offers
 31 or maintains primarily for personal, family or
 32 household purposes, that involves multiple
 33 payments or transactions; and
 34 Any other account the City offers or maintains
 35 for which there is a reasonably foreseeable risk
 36 to customers or to the safety and soundness of
 37 the Staff from Identity Theft.
 38 Creditors: The Rule defines creditors to
 39 include finance companies, automobile
 40 dealers, mortgage brokers, Staff companies,
 41 and telecommunications companies. Where
 42 non-profit and government entities defer
 43 payment for goods or services, they, too, are to
 44 be considered creditors.
 45 Identifying Information: defined under the Rule
 46 as “any name or number that may be used,
 47 alone or in conjunction with any other
 48 information, to identify a specific person,”
 49 including: name, address, telephone number,
 50 social security number, date of birth,
 51 government issued driver’s license or
 52 identification number, alien registration
 53 number, government passport number,
 54 employer or taxpayer identification number,
 55 unique electronic identification number,

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computer’s Internet Protocol address, or
 routing code.
 Program: The Identity Theft Prevention
 Program.
 Utility: The Public Works Department.

C. Identification of red flags.

To identify relevant Red Flags, the City
 Administrator considers the types of accounts
 that the City offers and maintains, the methods
 provided to open accounts, the methods
 provided to access accounts, and previous
 experiences with Identity Theft. The City
 Administrator identifies the following red flags
 in each of the listed categories:

**NOTIFICATIONS AND WARNINGS FROM
 CONSUMER CREDIT REPORTING
 AGENCIES**

Red Flags - None applicable. The City does
 not accept credit card payments and is not
 allowed to credit to customers for city-provided
 services.

SUSPICIOUS DOCUMENTS

Red Flags - Identification document or card
 that appears to be forged, altered or not
 authentic; Identification document or card on
 which a person’s photograph or physical
 description is not consistent with the person
 presenting the document; and Other document
 with information that is not consistent with
 existing customer information (such as if a
 person’s signature on a check appears forged).

**SUSPICIOUS PERSONAL IDENTIFYING
 INFORMATION**

Red Flags - Identifying information presented
 that is inconsistent (example: inconsistent birth
 dates); Identifying information presented that
 is the same as information shown on other
 applications that were found to be fraudulent;
 Identifying information presented that is
 consistent with fraudulent activity (such as an
 invalid phone number or fictitious billing
 address);
 Social Security number presented that is the
 same as one given by another customer;
 A person fails to provide complete personal
 identifying information on an application when
 reminded to do so (however, by law social
 security numbers must not be required) or an
 applicant cannot provide information requested

1	beyond what could commonly be found in a	54	Detect - Verify the identification of customers if
2	purse or wallet; and	55	they request information (in person, via
3	A person's identifying information is not	56	telephone, via facsimile, via email); Verify the
4	consistent with the information that is on file for	57	validity of requests to close accounts or
5	the customer.	58	change billing addresses; and Verify changes
6		59	in banking information given for billing and
7	SUSPICIOUS ACCOUNT ACTIVITY OR	60	payment purposes.
8	UNUSUAL USE OF ACCOUNT		
9	Red Flags - Payments stop on an otherwise	61	E. Preventing and mitigating identity
10	consistently up-to-date account; Mail sent to	62	theft
11	the account holder is repeatedly returned as	63	In the event City office staff personnel detect
12	undeliverable;	64	any identified Red Flags, one or more of the
13	Notice to the City Staff that a customer is not	65	following steps will be taken depending on the
14	receiving mail sent by the City Staff; Breach in	66	risk posed by the Red Flag:
15	the Utility's computer system security; and	67	
16	Unauthorized access to or use of customer	68	PREVENT AND MITIGATE
17	account information.	69	Continue to monitor an account for evidence of
18		70	Identity Theft;
19	ALERTS FROM OTHERS	71	Contact the customer, sometimes through
20	Red Flag - Notice to the City office staff from a	72	multiple methods;
21	customer, identity theft victim, fraud detection	73	Change any passwords or other security
22	service, law enforcement or other person that it	74	devices that permit access to accounts;
23	has opened or is maintaining a fraudulent	75	Not open the new account;
24	account for a person engaged in Identity Theft.	76	Close an existing account;
25		77	Do not close the account, but monitor or
26	D. Detecting red flags.	78	contact authorities;
27	NEW ACCOUNTS	79	Reopen an account with a new number;
28	To detect any of the Red Flags identified	80	Notify the City Administrator for determination
29	above associated with the opening of a new	81	of the appropriate step(s) to take;
30	account, City office staff personnel will take the	82	Notify law enforcement; or
31	following steps to obtain and verify the identity	83	Determine that no response is warranted under
32	of the person opening the account:	84	the particular circumstances.
33		85	
34	Detect - Require certain identifying information	86	PROTECT CUSTOMER IDENTIFYING
35	such as name, date of birth, residential or	87	INFORMATION
36	business address, principal place of business	88	To further prevent the likelihood of identity theft
37	for an entity, driver's license or other	89	occurring with respect to Utility accounts, the
38	identification;	90	City office staff will take the following steps
39	Verify the customer's identity (for instance,	91	with respect to its internal operating
40	review a driver's license or other identification	92	procedures to protect customer identifying
41	card);	93	information:
42	Review documentation showing the existence	94	
43	of a business entity;	95	Where and when allowed, ensure complete
44	Request additional documentation to establish	96	and secure destruction of paper documents
45	identity; and	97	and computer files containing customer
46	Independently contact the customer or	98	information;
47	business.	99	Ensure that office computers are password
48		100	protected and that computer screens with
49	EXISTING ACCOUNTS	101	access to covered account information lock
50	To detect any of the Red Flags identified	102	after a set period of time;
51	above for an existing account, City office staff	103	Change passwords on office computers on a
52	personnel will take the following steps to	104	regular basis;
53	monitor transactions with an account:	105	Ensure all computers are backed up properly
		106	and backup information is secured;

1 Keep offices clear of papers containing
2 customer information;
3 Request only the last 4 digits of social security
4 numbers (if any);
5 Ensure computer virus protection is up to date;
6 and
7 Require and keep only the kinds of customer
8 information that are necessary for Staff
9 purposes.

10 **F. Program updates**

11 This Program will be periodically reviewed and
12 updated to reflect changes in risks to
13 customers and the soundness of the City from
14 Identity Theft. The City Administrator will
15 consider the City's experiences with Identity
16 Theft, changes in Identity Theft methods,
17 changes in Identity Theft detection and
18 prevention methods, changes in types of
19 accounts the Staff maintains and changes in
20 the City's business arrangements with other
21 entities, consult with law enforcement
22 authorities, and consult with other City
23 personnel. After considering these factors, the
24 City Administrator will update the Program,
25 including the listing of Red Flags, as required.

26 **G. Program administration.**

27 OVERSIGHT
28 Responsibility for developing, implementing
29 and updating this Program lies with the City
30 Administrator. The City Administrator will be
31 responsible for the Program administration, for
32 ensuring appropriate training on the Program,
33 for reviewing reports regarding the detection of
34 Red Flags and the steps for preventing and
35 mitigating Identity Theft, determining which
36 steps of prevention and mitigation should be
37 taken in particular circumstances and
38 considering periodic changes to the Program.

39 STAFF TRAINING

40 Initially, all City office staff shall be trained by
41 the City Administrator in the detection of Red
42 Flags, and the responsive steps to be taken
43 when a Red Flag is detected. Thereafter, City
44 both current and new office staff will undergo
45 update training as determined by the City
46 Administrator.

47 SERVICE PROVIDER ARRANGEMENTS

48 In the event the City engages a service
49 provider to perform an activity in connection
50 with one or more accounts, including but not

53 limited to franchise utility providers, the City will
54 take steps to ensure the service provider
55 performs its activity in accordance with
56 reasonable policies and procedures designed
57 to detect, prevent, and mitigate the risk of
58 Identity Theft.

59 Require, by contract or contract amendment,
60 that service providers have such policies and
61 procedures in place; and
62 Require, by contract or contract amendment,
63 that service providers review the City's
64 Program and report any Red Flags to the City
65 Administrator.

66 SPECIFIC PROGRAM ELEMENTS AND
67 CONFIDENTIALITY

68 For the effectiveness of Identity Theft
69 prevention Programs, the Red Flag Rule
70 envisions a degree of confidentiality regarding
71 the City's specific practices relating to Identity
72 Theft detection, prevention and mitigation.
73 Therefore, under this Program, knowledge of
74 such specific practices are to be limited to
75 those employees who need to know them for
76 purposes of preventing Identity Theft.
77 Because this Program is to be adopted by a
78 public body and thus publicly available, it
79 would be counterproductive to list these
80 specific practices here. Therefore, only the
81 Program's general red flag detection,
82 implementation and prevention practices are
83 listed in this document.
84 Fair and Accurate Credit Transactions Act of
85 2003
86 [http://www.treasury.gov/offices/domestic-
87 finance/financial-institution/cip/pdf/fact-act.pdf](http://www.treasury.gov/offices/domestic-finance/financial-institution/cip/pdf/fact-act.pdf)
88
89

90 **XVI. ANTIFRAUD POLICY**

91 Prepared, administered and maintained by the
92 City Administrator

93 **A. Introduction**

94 This policy reflects the city's response to the
95 management letter from city auditors
96 suggesting the city should have a written
97 antifraud policy. The policy was written after
98 review of "Management Antifraud Programs
99 and Controls: Guidance to Help Prevent, Deter
100 and Detect Fraud" published in 2002 by the
101 American Institute of Certified Public
102 Accountants and six other organizations. In
103 most cases, that 22 page document advised
104 creating environments, processes and controls

1 that have simply been a matter of “business as
2 usual” in the City of Clifton for years. The
3 brevity of this policy is not a reflection of our
4 lack of understanding the need for fraud
5 prevention; the brevity reflects achievement of
6 the very first responsibility of any organization
7 – creating a culture of honesty and high ethics.

8 **B. Maintaining the culture of honesty 9 and high ethics**

10 A copy of “The City of Clifton Employee
11 Policies Manual”, is issued to each new
12 employee. A signed form acknowledging
13 receipt and understanding is kept in each
14 employee’s folder by the City Secretary. This
15 manual spells out responsibilities and
16 restrictions required of every employee
17 including timeliness, political activity, gifts,
18 media relations, chain of command,
19 solicitations, and call-out for emergency
20 situations. Hiring practices are also described,
21 as are merit increases, promotions, and work
22 schedule. The policy also spells out
23 administrative policies for reimbursement of
24 expenses incurred for travel and states the
25 City’s policy on the use of drugs and alcohol.

26 **C. Antifraud processes**

27 Timesheets are signed by the employee, then
28 reviewed and initialed by the employee’s
29 immediate supervisor
30 First level audit of timesheets by City Clerk
31 before data entry; second level
32 audit/confirmation by City Secretary
33 All disbursements require two signatures –
34 Mayor and City Secretary
35 Water/sewer payments use a software
36 accounting system for payments
37 Municipal Court fine payments use a software
38 accounting system to track payments and
39 transfer funds to state and city accounts
40 Water/sewer cash drawers are balanced daily
41 by two people
42 Water/sewer cash drawers are locked away at
43 close-of-business
44 Monthly financial reports are prepared by the
45 City Clerk, reviewed by the City Secretary and
46 distributed to City Council, City Secretary, and
47 City Administrator 72 hours prior to monthly
48 City Council meeting. Reports show budgeted
49 versus actual YTD revenues and expenditures.

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D. Oversight process

The first layer of oversight is the responsibility
of the City Secretary who reviews financial
reports prepared monthly for City Council
meetings
The second layer of oversight is the
responsibility of the City Administrator, who
also reviews financial reports prepared monthly
for City Council meetings and periodically
audits one or more of the reports.
The City Council provides a third layer of
oversight.
Fourth layer will be an independent annual
audit by a certified public accountant

XVII. VOLUNTARY LEAVE BANK PROGRAM

A. Purpose and applicability.

Purpose. This program establishes
procedures and requirements for a voluntary
leave bank program under which the unused
accrued vacation and/or sick leave of an
employee may be contributed to the leave
bank for use by the leave bank member who
needs leave because of a medical
emergency.

Applicability. This subpart applies to all City
employees who are employed while the City
operates a voluntary leave bank program.

B. Definitions.

Available paid leave means accrued or
accumulated vacation or sick leave.
Family member means the following relatives
of the employee:
Spouse, and parents thereof;
Children, including adopted children, and
spouses thereof;
Parents;
Brothers and sisters, and spouses thereof;
and
Any individual related by blood or affinity
whose close association with the
employee is the equivalent of a family
relationship.
Leave means any combination of vacation
and/or sick leave.
Leave bank means a pooled fund of vacation
and/or sick leave.
Leave bank member means an employee who
has contributed the minimum amount of

1	leave required. New employees are eligible	52	member other than the leave bank
2	to participate when they have completed	53	member's immediate supervisor.
3	their probationary period.	54	The minimum contribution required to become a
4	Leave recipient means a leave bank member	55	leave bank member shall be 8 hours of
5	whose application to receive contributions of	56	leave.
6	leave from the leave bank has been	57	The leave bank board may change the
7	approved.	58	minimum contribution to maintain an
8	Medical emergency means a medical	59	adequate balance of leave in the leave
9	condition of an employee or a family	60	bank;
10	member of such employee that is likely to	61	The leave bank board shall not return a
11	require an employee's absence from duty	62	contribution of leave to the leave bank
12	for a prolonged period of time and to result	63	member.
13	in a substantial loss of income to the	64	A leave bank member may apply to contribute
14	employee because of the unavailability of	65	additional leave at any time.
15	paid leave.		
16	Paid leave status means the administrative	66	E. Limitations on contribution of
17	status of an employee while the employee is	67	vacation and/or sick leave.
18	using annual or sick leave accrued or	68	A leave bank member may contribute no more
19	accumulated.	69	than one-half of the amount of vacation
20	Shared leave status means the administrative	70	and/or sick leave he or she has accrued.
21	status of an employee while the employee is	71	The leave bank board may waive these
22	using leave transferred from the leave bank.	72	limitations. Any waiver decision shall be
		73	documented in writing.
23	C. Establishing leave banks and leave		
24	bank boards.	74	F. Application to become a leave
25	The City Administrator shall	75	recipient.
26	Act as chairman of the leave bank board;	76	A leave bank member may make written
27	Appoint a minimum three member leave	77	application to the leave bank board to
28	bank board; and	78	become a leave recipient. If a leave bank
29	Establish and begin operating the leave	79	member is not capable of making the
30	bank.	80	application, a personal representative may
31	The leave bank board shall	81	make the application.
32	During an active leave recipient's medical	82	The application must be submitted within the
33	emergency, meet at least biweekly	83	pay period of the beginning of a medical
34	before payroll is run to monitor the	84	emergency.
35	status of the medical emergency;	85	The application shall include:
36	Monitor the amount of leave in the bank;	86	The leave bank member's name;
37	Meet periodically to determine and maintain	87	The reasons leave is needed, including a
38	an adequate amount of leave in the	88	brief description of the nature, severity,
39	bank.	89	anticipated duration, and if it is a
		90	recurring one, the approximate
40	D. Application to become a leave	91	frequency of the medical emergency
41	contributor and leave bank member.	92	affecting the leave bank member;
42	Any City employee may make voluntary written	93	Certification from one or more physicians, or
43	application to the leave bank board to	94	other appropriate experts with respect to
44	become a leave bank member at any time.	95	the medical emergency; and
45	The signed and dated application shall	96	Any additional information that may be
46	specify the number of hours of available	97	required by the leave bank board.
47	paid leave on the employee's most recent	98	If the leave bank board requires a leave bank
48	pay stub, and the hours of each to be	99	member to submit certification from two or
49	contributed.	100	more sources, the City shall ensure, either
50	An employee may request that leave be	101	by direct payment to the expert involved or
51	contributed to a specified leave bank	102	by reimbursement, that the leave bank
		103	member is not required to pay for the

1 expenses associated with obtaining 53
 2 certification from more than one source. 54

3 **G. Approval of application to become a 55**
 4 **leave recipient.** 56

5 On each pay day of the medical emergency, the 57
 6 leave bank board shall review the 58
 7 employee's earned and accrued leave 59
 8 balances and the leave bank application. 60
 9 Before approving an award of leave from the 61
 10 bank, the leave bank board shall determine 62
 11 that 63
 12 the absence is due to a medical emergency 64
 13 is (or is expected to be) at least 24 hours 65
 14 (or, in the case of a part-time employee 66
 15 or an employee, at least 30 percent of 67
 16 the average number of hours in the 68
 17 employee's biweekly schedule) 69
 18 is likely to result in a substantial loss of 70
 19 income, 71
 20 The leave bank board shall provide written 72
 21 notification for action by office personnel 73
 22 preparing payroll. A copy of the note shall 74
 23 be attached to the applicant' paycheck. If 75
 24 the leave bank board disapproves the 76
 25 application, notification shall include the 77
 26 reasons for disapproval. 78
 27 The leave bank board may establish written 79
 28 policies limiting the amount of leave that 80
 29 may be granted to a leave recipient. 81
 30 Decisions of the leave bank board may be 82
 31 appealed to the City Council, and may be 83
 32 discussed in Executive session under Texas 84
 33 Government Code Section 551.074 85
 34 personnel matters. 86

35 **H. Accrual of vacation and sick leave.** 87
 36 While an employee is in a shared leave status, 88
 37 annual and sick leave shall accrue to the 89
 38 credit of the employee at the same rate as if 90
 39 the employee were then in a paid leave 91
 40 status, except that the maximum amount of 92
 41 leave that may be accrued by a leave 93
 42 recipient while in a shared leave status in 94
 43 connection with any particular medical 95
 44 emergency may not exceed 40 hours (or, in 96
 45 the case of a part-time employee or an 97
 46 employee, the average number of hours in 98
 47 the employee's weekly schedule); and 99
 48 Any vacation or sick leave accrued while an 100
 49 employee is in a shared leave status shall 101
 50 be applied to hours absent from a normal 102
 51 work schedule before leave bank hours are 103
 52 awarded. 104

**I. Use of vacation and/or sick leave
 withdrawn from a leave bank.**

A leave recipient may use leave withdrawn from the leave bank only for the purpose of medical emergency for which the leave recipient was approved.

During each biweekly pay period that a leave recipient is affected by a medical emergency, he or she shall use any accrued leave before using leave withdrawn from the leave bank.

The approval and use of leave withdrawn from the leave bank shall be subject to all of the conditions and requirements imposed by this chapter and the City on the approval and use of leave accrued.

Leave withdrawn from the leave bank may be substituted retroactively for any period of leave without pay or used to liquidate an indebtedness for any period of advanced leave that began on or after the date fixed by the leave bank board as the beginning of the medical emergency.

J. Termination of medical emergency.

The medical emergency affecting a leave recipient shall terminate--

- When the leave recipient's City service terminates;
- When the leave bank board receives written notice from the leave recipient or from a personal representative of the leave recipient that the leave recipient is no longer affected by a medical emergency;
- After written notice of termination from the bank board and an opportunity for the leave recipient (or, if appropriate, a personal representative of the leave recipient) to answer orally or in writing, that the leave recipient is no longer affected by a medical emergency; or
- After the City receives notice that the City has approved an application for disability retirement for the leave recipient.

The leave bank board shall ensure that awarded but unused leave is returned to the leave bank.

If a leave recipient elects to buy back leave as a result of a claim for an employment-related injury approved for Workers' Compensation, the amount of leave withdrawn from the

1 bank that is bought back shall be restored to
2 the leave bank.

3 **K. Prohibition of coercion.**

4 An employee may not directly or indirectly
5 intimidate, threaten, or coerce, or attempt to
6 intimidate, threaten, or coerce, any other
7 employee for the purpose of interfering with
8 any right such employee may have with
9 respect to contributing, withdrawing, or
10 using leave.

11 **L. Records and reports.**

12 The City Secretary shall maintain records
13 concerning the administration of the
14 voluntary leave bank program and may be
15 required by the City Council to report
16 information necessary to evaluate the
17 effectiveness of the program.

18 The City Secretary shall maintain the following
19 information:

- 20 The current number of leave bank
21 members;
- 22 The number of applications approved in the
23 current fiscal year;
- 24 The total amount of leave contributed to the
25 bank in the current fiscal year;
- 26 The total amount of leave actually used in
27 the current fiscal year; and
- 28 Any additional information the Council may
29 require.

30 **M. Termination of the voluntary leave
31 bank program..**

32 The City Council may terminate the voluntary
33 leave bank program after at least 30
34 calendar days advance written notice to
35 current leave bank members.

36 If the City terminates the voluntary leave bank
37 program before the termination of the

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medical emergency affecting a leave bank
recipient, leave transferred to a leave bank
recipient shall remain available for use
under the rules set forth here.

If the City terminates a voluntary leave bank
program, it shall make provisions for the
timely and equitable distribution of any
leave remaining in the leave bank. The City
may allocate the leave to current leave
recipients, allocate the remaining leave to
the accounts of the voluntary leave bank
members, or a combination of both. The
City may distribute the leave immediately or
may delay the distribution, in whole or part,
until the beginning of the following fiscal
year.

54 **XVIII. ETHICS PRINCIPLES**

55 **City of Clifton staff will:**

- 56 • Always follow the law's letter and honor
57 its intent;
- 58 • Avoid conflicts of interest between work
59 and personal affairs;
- 60 • Be honest and fair with everyone;
- 61 • Cooperate with any investigation of a
62 possible ethics violation;
- 63 • Get help if faced with a puzzling ethical
64 question;
- 65 • Never act unethically - even if ordered to
66 do so;
- 67 • Never ask someone else to act
68 unethically;
- 69 • Never discriminate against anyone in
70 word or deed;
- 71 • Never manipulate, misrepresent, abuse
72 or conceal information; and
- 73 • Report ethics violations or suspected
74 violations to the City Council.

XX. EXAMPLE PERFORMANCE EVALUATION SHEET



City of Clifton Performance Evaluation

EMPLOYEE NAME _____

EVALUATION PERIOD _____

Supervisor - check rating in the appropriate column or mark NA for not applicable	Unacceptable	Improvement needed	Meets expectations	Exceeds expectations
1 accepts change				
2 accepts direction				
3 accepts responsibility				
4 accuracy of paperwork				
5 amount of work (does his/her share)				
6 anticipates and takes initiative				
7 appearance - personal				
8 appearance of vehicle/equipment				
9 appearance of work area				
10 attendance (there when needed)				
11 attention to detail				
12 can find/mark location on city map				
13 can follow written water/sewer SOPs				
14 compliance w/ city rules & policies				
15 contact with the public				
16 coordinates work with others				
17 honest & forthright				
18 job knowledge (knows what to do)				
19 job skill level (does it well)				
20 keeps up w/ assigned paperwork				
21 knows where to find answers				
22 learns quickly				
23 maintains required certifications				
24 meets deadlines				
25 on-time time sheets				
26 operation/care of equipment				
27 performance under stress				
28 planning and organizing				
29 positive attitude				
30 prompt - gets to work on time				
31 puts in full days and full weeks				
32 reliable ; trustworthy				
33 shows good judgment				
34 timely turn-in of expenses				
35 understands/follows instructions				
36 valid commercial driver's license				
37 works safely				
38 works well with others				
39				

Explain "Exceeds expectations"	
Explain "Unacceptable" or "Improvement needed"	
Specific goals for next review	
Rater's recommendations _____ Recommend personnel action (see back of page) _____ Recommend pay action (see back of page)	
Rater - _____	
Rater's signature	Date
Employee Comments	
Employee's signature	Date

Signed copies of this completed form will be placed in the employee's personnel folder

revised 10/18/2010