

City of Alpine

Regular City Council Meeting

Tuesday, June 16, 2020

Notice is hereby given that the City Council of the City of Alpine, Texas will hold a Regular Meeting at 5:30 P. M. on Tuesday, June 16, 2020 via Zoom Conference, in the City of Alpine, Texas. Meeting login details may be found at www.cityofalpine.com for the purpose of considering the attached agenda. This notice is posted pursuant to the Texas Open Meetings Act. (Section 551.043, Texas Government Code).

Members of the audience will be provided an opportunity to address the Council on any agenda item after determination of quorum and proof of notice of the meeting. Zoom meeting comment and question rules and procedures are listed on the City Website. Remarks will be limited to a total of 3 minutes per person. Please email your name to Megan Antrim (director.finance@ci.alpine.tx.us). If you have a petition or other information pertaining to your subject, please email it to the City Secretary beforehand. All names wanting to make public comment for the meeting will be queued up and given to the Mayor at that section of the meeting. The Mayor will call on those individuals one at a time and our meeting moderator will take you off mute to make your comments. This will function the same as our existing sign-up sheet in Council Chambers. *** Please note, you MUST include your full name (first and last) along with what Ward you reside in or have business interest in. If you do not live or own property in the City please state that in your email. State law generally prohibits the Council from discussing or taking any action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. **NO PERSONAL ATTACKS ON COUNCIL MEMBERS OR CITY STAFF WILL BE ALLOWED.** The Mayor and/or City Council Members may call a Point of Order to stop Personal Attacks. If an individual continues to personally attack an elected official or staff member in a meeting, they may be barred.

Agenda

1. Call to Order, and Pledge of Allegiance.
2. Determination of a Quorum and Proof of Notice of City Council Meeting.
3. Public Comments – (limited to 3 minutes per person)
4. Presentation, Recognitions and Proclamations – (A. Ramos, ,Mayor) –
 - Proclamation – Brewster County Local Health Authority – COVID19 – Dr. Ekta Escovar.
5. Reports -
 - City Mayor's Report – (A. Ramos, Mayor) – None
 - City Attorney's Report –

- First Amendment vs. Protest: The line between robust First Amendment free speech and public safety – The Alpine example.

City Manager Report

- COVID-19 Update
- Pool & Recreation Program
- Ordinance Update
- Board & Commission Update
- City Revenues YTD

City Staff Update – None

6. Public Hearings – None

7. Consent Agenda – (Minutes, Financial reports, Department written reports, board appointments, etc.) –

(Notice to the Public – The following items are of a routine and administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.)

- A. Approval of minutes from City Council meeting on June 2, 2020. (E. Zimmer, City Manager)

8. Information or Discussion items –

1. Discussion of vision for Sul Ross State University goals for the future and relationship with local governing bodies by Congressman Pete Gallego. (E. Zimmer, City Manager)
2. Discussion of City of Alpine Personnel Policy Update. (E. Zimmer, City Manager)
3. Discussion on the Investment Policy for the City of Alpine. (E. Zimmer, City Manager)
4. Discussion on Loud Noise Ordinance. (R. Stephens, City Council)

9. Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to (up to 10 per meeting.) after being called upon by the Mayor or Mayor Pro Tem. Citizens are required to state their name and the Ward in which they reside. Priority will be given to citizens of Alpine and those who own businesses

or property in the City. Individuals who do not live in, or own businesses or property in the City limits of Alpine, will be allowed to speak if there is time available.) –

1. Discuss, consider, and take appropriate action to approve the first and final reading concerning an application for a Conditional Use Permit for Clyde Dooley for a non-conforming structure to improve structure (guest house). Property Identification is 404 W. Gallego Avenue. Legal description is Original Townsite of Alpine, Block W/2, Block 78, Lots four (4) and five (5). Record owner is Clyde Dooley. (E. Zimmer, City Manager)
2. Discuss, consider, and take appropriate action to approve the first and final reading concerning an application for a Conditional Use Permit for Paul Tanksley for a non-conforming structure (carport). Property Identification is 802 N. Harrison. Legal description is Hancock Addition. Property owner is Paul Tanksley. (E. Zimmer, City Manager)
3. Discuss, consider, and take appropriate action on Resolution 2020-06-17, tire fee's for the City of Alpine. (E. Zimmer, City Manager)


10. City Councilmember Comments and Answers – No discussion or action may take place.

11. Executive Session - - Pursuant to Texas Government Code 551.071 Consultation with Attorney on a matter for which it is the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct conflict with this Chapter and requires discussion of the item in closed session), and 551.071(consultation with attorney regarding potential or contemplated claims against the City) Pursuant to Texas Government Code 551.074 – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. – None

NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development.)

12. Action – Executive Session – None

I certify that this notice was posted at 2:00 P. M. on June 11, 2020, Pursuant to the Texas Open Meetings Act (Texas Government Code Section 51.043). This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (432)837-3301 or email city.secretary@ci.alpine.tx.us for further information.



Cynthia Salas, City Secretary
City of Alpine

4. Presentation, Recognitions and Proclamations – (A. Ramos, ,Mayor) –

- Proclamation – Brewster County Local Health Authority – COVID19 – Dr. Ekta Escovar.

Proclamation

By City of Alpine Mayor, Andres Ramos, and Brewster County, Judge Eleazar Cano

WHEREAS; the recent COVID-19 pandemic has created an unprecedented crisis on a global level, and at all levels of government in the United States; and

WHEREAS; the crisis has created significant concern for rural areas in West Texas, specifically the Tri-County region which is supported solely by Big Bend Regional Medical Center, a 25-bed hospital that supports three counties; and

WHEREAS; an outbreak of the potential magnitude that the coronavirus can cause could lead to devastating results for the Tri-County region; and

WHEREAS; in the wake of the pandemic, it was absolutely critical that our local government receive periodic updates, advice, and direction on how to combat COVID-19 in our region; and

WHEREAS; Dr. Ekta Escovar embraced the role of Brewster County Local Health Authority, ensuring that our region stay safe during this unprecedented time; and

WHEREAS; Dr. Ekta Escovar is an inspiring embodiment of strength and a determined driver of progress, whose expert guidance continues to lead the charge to move our area forward during this crisis; and

WHEREAS; our community is eternally grateful for the guidance provided by Dr. Ekta Escovar, so this week let us pay this extraordinary woman the admiration and respect that she deserves.

NOW THEREFORE, I, Andres Ramos, Mayor of the City of Alpine, Texas, along with Eleazar Cano, Brewster County Judge, do hereby proclaim the month of June 2020:

CELEBRATING & HONORING DR. EKTA ESCOVAR MONTH

in Alpine and urge all citizens to be aware of the significant impact that Dr. Ekta Escovar has had in our effort to combat the COVID-19 pandemic in West Texas.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of June in the year 2020.

Andres Ramos, Mayor
City of Alpine, Texas

Eleazar Cano, Judge
Brewster County, Texas

5. Reports -

City Mayor's Report – (A. Ramos, Mayor) – None

City Attorney's Report –

- First Amendment vs. Protest: The line between robust First Amendment free speech and public safety – The Alpine example.

City Manager Report

- COVID-19 Update
- Pool & Recreation Program
- Ordinance Update
- Board & Commission Update
- City Revenues YTD

Ordinance Name	Book of Ordinance	Council Member Sponsoring	Staff Member Assigned
Short -Term Rental	Appendix C - Zoning	Councillor Escovedo	David Hale, Chrs Ruggia
Noise Ordinance	Chapter 94	Councillor Stephens	Chief Martin
Utility Billing Ordinance	Chapter 98		Stephanie Ladesic, Megan Antrim, Scott Perry
Shipping Containers	Chapter 18		P&Z working it, Hale
Fire Inspection Fee	Chapter 46		David Hale
Lighting Ordinance	Chapter 18		P&Z working it, Hale
Property Maintenance	Chapter 18		P&Z working it, Hale

	Planning & Zoning	Airport Advisory	Parks & Recreation	Animal Advisory	Sanitation & Environmental	Building & Standards	HOT Comm.	Neighborhood	Transportation Comm.
Ward 1	Rawles Williams	Cade Woodward	Kurtis Moody	Amil Rungta	Tami Nue	Clayton Shott	Vacant	Neil Trammell (Hogwallowe)	Vacant
Ward 2	Tim Pearce	Jimmy Morris	Darin Nance	Pat McCall	Dale Jenkins	Bob Savery	Vacant	Eden Hinchlaw (The Swifts)	Vacant
Ward 3	Elison Rouse	Marbert Moore	Kurt Manchen	Lauren Speer	Jeff Bennett	Glenn Ciddle	Vacant	Monica Quiriga (Old Gringo)	Vacant
Ward 4	Joe Torres	VACANT	Joe Torres	VACANT	Geri Davis	Geri Davis	Vacant	Chris Pockett (Railroad Blues)	Vacant
Ward 5	Dena Foley	James Blair	VACANT	VACANT	David Busby	Vacant	Vacant	Ken Blackman (Artwalk)	Vacant
	At Large - Dick Zimmer			ACO - Jennifer Stewart		Alt. 1 Jessie Lara	Vacant	Jeffrey Meyers (SPSU)	Vacant
	At Large - Tom Kennedy			Vec. - Mary Dodson	Mayor Apt. - VACANT	Alt. 2 Vacant	Vacant	Stewart Ransier (Viva Big Bend)	Vacant
				Humane Society - Patsy Oliver					
Meeting Day	4th Monday of month	3rd Wednesday	2nd Wednesday	2nd Tuesday of month		4th Wednesday of month			

7. Consent Agenda – (Minutes, Financial reports, Department written reports, board appointments, etc.) –

(Notice to the Public – The following items are of a routine and administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.)

- A. Approval of minutes from City Council meeting on June 2, 2020. (E. Zimmer, City Manager)

City of Alpine
Regular City Council Meeting
Tuesday, June 02, 2020
5:30 P.M.
Minutes

1. Call to Order, and Pledge of allegiance to the flags – Mayor Ramos called the meeting to order. The meeting was held via Zoom Conference in the City of Alpine, Texas. Mayor Ramos led the pledge of allegiance to the flags.
2. Determination of a quorum and proof of notice of the meeting – Councilor Curry, Councilor Olivas, Councilor Betty Fitzgerald, Councilor Escovedo, Councilor Stephens, and Mayor Ramos were present via zoom. City Secretary, Cynthia Salas reported that the agenda was posted at 4:00 P.M. on May 28, 2020. City Manager Erik Zimmer, City Secretary, Cynthia Salas, and City Attorney Rod Ponton also attended via zoom.
3. Public Comments (limited to 3 minutes per person) –
4. Presentations, Recognitions and Proclamations – (A. Ramos, Mayor) –
 - Certificate of Recognition – SRSU Honors Convocation – Outstanding Undergraduate Student in Business Administration Award – Geo Calderon.
5. Reports – Copies of the charts presented during the meeting are posted on the City website at <https://www.cityofalpine.com/Alpine%20City%20Council%20-%20CM%20Report%203-17-2020.pdf>

City Mayor's Report – (A. Ramos, Mayor) – None

City Attorney's Report –

- Recommendations for Post-Covid state law changes – Municipal powers vs State powers

City Manager Report –

- COVID-19 Update
- Updates on Pool/Recreation Program
- Large Group Gatherings
- Fire Department Asset Update
- Future Council Meetings / Location

City Staff Updates –

- Quarterly Update – Environmental Services by Adelina Beall.
- Tourism / Travel / COVID Update by Director of Tourism Chris Ruggia.
- Update by Director of Finance Megan Antrim.
- Update by Director of Utilities Scott Perry.

6. Public Hearings – None
7. Consent Agenda – (Minutes, Financial reports, Department written reports, board appointments, etc.) –

(Notice to the Public – The following items are of a routine and administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member, in which event

the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.)

1. Approval of minutes from City Council meeting on May 19, 2020. (E. Zimmer, City Manager)

Motion was made by Councilor Stephens, by Resolution 2020-06-01 to approve the consent agenda as presented. Motion was seconded by Councilor Lucy Escovedo. Motion unanimously carried.

8. Information or Discussion items –

1. Discussion on Short-Term Rental Ordinance. (E. Zimmer, City Manager)
2. Discussion on Loud Noise Ordinance. (E. Zimmer, City Manager)

9. Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to (up to 10 per meeting.) after being called upon by Mayor or Mayor Pro Term. Citizens are required to state their name and the Ward in which they reside. Priority will be given to citizens of Alpine and those who own businesses or property in the City. Individuals who do not live in, or own businesses or property in the City limits of Alpine, will be allowed to speak if there is time available.) –

1. Discuss, consider, and take appropriate action on Resolution 2020-06-04 for the USDA. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-06-04 for the USDA to buy the Kabota tractor in the sum of \$40,924.12. Motion was seconded by Councilor Curry. Motion unanimously carried.
2. Discuss, consider, and take appropriate action on Resolution 2020-06-05 on TDEM and CREF Certification for the City of Alpine. (E. Zimmer, City Manager)- Motion was made by Councilor Stephens, by Resolution 2020-06-05 on TDEM and CREF Certification for the City of Alpine grant submittal. Motion was seconded by Councilor Olivas. Motion unanimously carried.
3. Discuss, consider, and take appropriate action on release of water line Easement near the South end of Cactus Street. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-06-02 to release of water line Easement near the South end of Cactus Street as presented. Motion was seconded by Councilor Betty Fitzgerald. Motion unanimously carried.

10. City Councilmember Comments and Answers – No discussion or action may take place.

11. Executive Session - Pursuant to Texas Government Code 551.071 Consultation with Attorney on a matter for which it is the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct conflict with this Chapter and requires discussion of the item in closed session), and 551.071(consultation with attorney regarding potential or contemplated claims against the City) Pursuant to Texas Government Code 551.074 – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. –

Motion was made by Councilor Stephens, by Resolution 2020-06-03 to move into executive session with a 10 minute break. Motion was seconded Councilor Curry. Motion unanimously carried. (8:02pm)

Motion was made by Councilor Stephens, by Resolution 2020-06-06 to go into executive session. Motion was seconded by Councilor Curry. Motion unanimously carried. (8:15pm)

1. Discuss the Parkhill Smith & Cooper Contract Update. (E. Zimmer, City Manager)
2. Discuss the Ole Crystal Bar Lawsuit against the City of Alpine. (E. Zimmer, City Manager)

NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Pursuant to Texas Government Code 551.071 (consultation with an attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development)

Motion was made by Councilor Stephens, by Resolution 2020-06-07 to come out of executive session. Motion was seconded by Councilor Curry. Motion unanimously carried. (8:49pm)

Motion was made by Councilor Stephens, by Resolution 2020-06-08 to go into open session. Motion was seconded by Councilor Curry. (8:52pm)

12. Action – Executive Session –

1. Discuss, consider, and take appropriate action, if any, on Parkhill Smith & Cooper Contract Update. (E. Zimmer, City Manager)- Motion was made by Councilor Stephens, by Resolution 2020-06-09 to take no action. Motion was seconded by Councilor Olivas. Motion unanimously carried.
2. Discuss, consider, and take appropriate action, if any, on Ole Crystal Bar Lawsuit against the City of Alpine. (E. Zimmer, City Manager) - Motion was made by Councilor Stephens, by Resolution 2020-06-10 to take no action. Motion was seconded by Councilor Curry. Motion unanimously carried.

I certify that this notice was posted at 4:00 P.M. on May 28, 2020, pursuant to Texas Open Meetings Act. (Texas Vernon's Annotated Civil statutes, section 551.043 Texas Government Code.) This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the city secretary's office at (432) 837-3301 or fax (432) 837-2044 for further information.

Andres "Andy" Ramos, Mayor

Attest:

Cynthia Salas, City Secretary

I, Cynthia Salas, City Secretary, do certify that this notice was posted at 4:00 P.M. on May 28, 2020, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

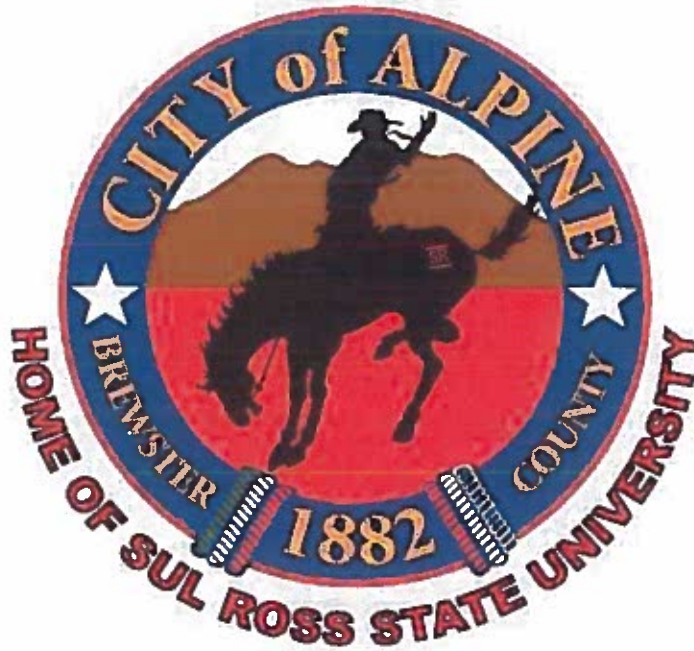
Cynthia Salas, City Secretary

8. Information or Discussion items –

1. Discussion of vision for Sul Ross State University goals for the future and relationship with local governing bodies by Congressman Pete Gallego. (E. Zimmer, City Manager)
2. Discussion of City of Alpine Personnel Policy Update. (E. Zimmer, City Manager)
3. Discussion on the Investment Policy for the City of Alpine. (E. Zimmer, City Manager)
4. Discussion on Loud Noise Ordinance. (R. Stephens, City Council)

1. Discussion of vision for Sul Ross State University goals for the future and relationship with local governing bodies by Congressman Pete Gallego. (E. Zimmer, City Manager)

2. Discussion of City of Alpine Personnel Policy Update. (E. Zimmer, City Manager)



City of Alpine Personnel Policies and Guidelines

Approved by Alpine City Council

0/00/2020

(As amended and noted on each page herein)

City of Alpine Personnel Policies and Guidelines

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City of Alpine Personnel Policies and Guidelines

Table of Contents

I. INTRODUCTION	7
WELCOME	7
MISSION STATEMENT	7
AT WILL	7
II. EMPLOYEE RIGHTS & LABOR LAWS	8
A. EQUAL EMPLOYMENT OPPORTUNITY POLICY (EEOC)	8
B. SEXUAL HARASSMENT	8
C. HARASSMENT	9
D. DISCRIMINATION	10
E. WORKPLACE VIOLENCE	10
F. RETALIATION	12
G. INVESTIGATION & DISCIPLINARY ACTION	12
H. NEPOTISM	14
III. EMPLOYMENT STATUS	14
A. PROBATION PERIOD	15
B. CLASSIFICATION	16
C. WAGE & SALARY	17
D. PERSONNEL FILES	17
E. PROMOTIONS	18
F. DEMOTIONS	18
G. COMPLAINTS	19
H. GRIEVANCE PROCEDURE	19

City of Alpine

Personnel Policies and Guidelines

I. RESIGNATION.....	22
J. INVOLUNTARY TERMINATION.....	24
K. ADMINISTRATIVE LEAVE	24
L. SEVERANCE PAY	24
IV. COMPENSATION AND BENEFITS.....	25
A. PAY PERIODS.....	25
B. OVERTIME POLICY	26
C. FLEXIBLE WORK TIME.....	26
D. CERTIFICATION INCENTIVE PROGRAM	27
E. INSURANCE COVERAGE.....	30
F. RETIREMENT	30
G. OVERTIME.....	30
H. LONGEVITY BENEFIT PAY	31
I. EMPLOYEE LEAVE TIME	31
J. SEPARATION OF SERVICE.....	33
K. OFFICIAL HOLIDAYS	34
L. FAMILY AND MEDICAL LEAVE	34
M. FUNERAL LEAVE	38
N. MATERNITY LEAVES.....	38
O. EXTENDED LEAVE	38
P. MEDICAL CONDITION	39
Q. MEDICAL INSURANCE	40
R. LIFE INSURANCE	40

City of Alpine Personnel Policies and Guidelines

S. RETIREMENT	40
V. CITY OF ALPINE POLICIES & PROCEDURES	41
A. TRAVEL POLICY	41
B. DRUG AND ALCOHOL POLICY	46
C. ATTENDANCE POLICY	52
D. SAFETY	53
E. PERSONAL BEHAVIOR	54
F. MISUSE OF CITY PROPERTY ELECTRONIC EQUIPMENT	56
G. ELECTRONIC POLICY	58
H. OTHER CITY PROPERTIES	66
I. POLITICAL ACTIVITY RESTRICTED	67
J. MAINTENANCE OF PERSONAL DRIVING RECORD	67
K. CELL PHONE POLICY	68
L. USE OF CITY PROPERTY OR EQUIPMENT	71
M. NURSING MOTHERS	71
VI. RECEIPT OF PERSONNEL POLICIES & GUIDELINES	72

City of Alpine Personnel Policies and Guidelines

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City of Alpine Personnel Policies and Guidelines

I. INTRODUCTION

WELCOME

The City of Alpine is happy to have you as its employee. You are now a public servant, which is different from working for a private business. This manual will help you understand the part that you will play in the City's services to our community. You are urged to read it carefully because it was written especially for you; to help you better understand the services the City provides to the public. If you have any questions regarding your particular job, speak to your immediate Supervisor or Department Head.

MISSION STATEMENT

"TO PROVIDE QUALITY SERVICE TO THE CITIZENS OF ALPINE."

AT WILL

ALL EMPLOYMENT BY CITY OF ALPINE IS "AT WILL"

The policies and procedures set forth in this handbook are not a binding employment contract. This handbook provides general guidelines. Employment with the City of Alpine is "At Will", meaning that employment may be terminated at any time, with or without notice, for any reason or no reason, by either the City of Alpine or the employee.

City of Alpine Personnel Policies and Guidelines

II. EMPLOYEE RIGHTS & LABOR LAWS

A. EQUAL EMPLOYMENT OPPORTUNITY POLICY (EEOC)

The City of Alpine recognizes that Equal Employment Opportunity is not only the law but also the morally right way to conduct business and leads to a stronger workforce.

The City provides Equal Opportunity without regard to race, color, religion, sex, national origin, age, disability or political affiliation. The City of Alpine conforms to all applicable Federal and State Laws, Rules, Guidelines and Regulations and provides Equal Employment Opportunity in all employment and employee relations. The City of Alpine abides by Title VII of the Civil Rights Act of 1964, as amended, as well as all other state and federal employment laws.

The City of Alpine assures that all applicants for employment and all City of Alpine employees are given equal consideration based solely on job-related factors, such as qualifications, performance, and availability. Such equal consideration applies to all personnel actions, including but not limited to recruitment, selection, appointment, job assignment, training, transfer, promotion, merit increases, demotion, termination, pay rates and fringe benefits. The City of Alpine reviews, evaluates and monitors all personnel matters to ensure that they are in accordance with the policy

B. SEXUAL HARASSMENT

Sexual harassment will not be tolerated by any City of Alpine employee. Sexual Harassment at work is a form of sex discrimination that violates Title VII of the 1964 Civil Rights Act.

Sexual harassment is not necessarily a gender-based form of harassment,

City of Alpine

Personnel Policies and Guidelines

meaning that either men or women may commit offenses that are considered sexual harassment.

Sexual Harassment falls into two categories: quid pro quo or hostile environment. It includes, but is not limited to:

1. Hostile Environment

- Unwelcome sexual advance such as verbal or nonverbal sexual suggestions.
- Posting or displaying sexual or pornographic pictures, obscene gestures, jokes or other conduct that unreasonably interferes with your work performance or creates an intimidating, hostile, or offensive working environment.
- An employer becomes liable for a hostile workplace environment if they knew or should have known about the harassment and failed to take any step to correct it.

2. Quid Pro Quo

- When an individual of authority makes unwelcomed requests or demands a subservient employee to engage in sexually-based behavior in exchange for advancement, benefits, protection, etc., in the workplace or to prevent an adverse employment action, i.e., termination, demotion, onerous job duties, from taking place.

C. HARASSMENT

The City of Alpine is committed to providing a work environment that is free of unlawful harassment and intimidation. City policy prohibits harassment because of sex (including sexual harassment, harassment due to pregnancy, childbirth or related medical conditions and gender harassment) and harassment

City of Alpine

Personnel Policies and Guidelines

because of race, religion, color, national origin, physical or mental disability, age or any other basis protected by federal, state or local law, regulation or ordinance.

Harassment of employees by officers, supervisors, co-workers, independent contractors, customers or vendors is prohibited. To the extent of the law non-employee violators of this policy are subject to expulsion from the City of Alpine's facilities when harassment occurs on City premises. The City of Alpine may report violators to the appropriate authorities for civil or criminal action.

D. DISCRIMINATION

The City of Alpine is committed to providing a work environment that is free from unlawful discrimination. Discrimination against any person in recruitment, examination, selection, appointment, rate of pay, promotion, transfer, retention, daily working conditions, testing and training, awards, compensation and benefits, disciplinary measures, or any other aspect of employment or personnel management because of race, color, age sex, national origin, disability or another unlawful basis is prohibited.

E. WORKPLACE VIOLENCE

The City of Alpine has zero tolerance policy for violence in the workplace. "Workplace Violence" is defined to include:

- Physically aggressive, violent or threatening behavior, such as attempts to instill fear in others or intimidation.
- Threats of any nature.
- Any other behavior that suggests a tendency toward violent behavior. Such behavior includes, but is not limited to, excessive arguing, profanity, threats of

City of Alpine

Personnel Policies and Guidelines

sabotage of the City of Alpine property, belligerent speech or demonstrated pattern of insubordination and refusal to follow City of Alpine policies and procedures.

- Causing physical damage to City of Alpine's facilities or defacing City property.
- With the exception of Law Enforcement personnel, bringing firearms or weapons of any type or any kind onto the City of Alpine premises, in City of Alpine parking lots, or while conducting City of Alpine business. Notwithstanding the foregoing, an employee licensed by the State of Texas to carry a concealed handgun may carry a weapon in the employee's private vehicle while not on City business or when the City is not paying a car allowance or mileage reimbursement. Further, nothing herein will prohibit an employee from storing an unloaded and appropriately secured weapon in the employee's vehicle parked on City property.

1. Reporting Violations

Any employee who has a complaint of discrimination or harassment, as defined above, by anyone at work, including supervisors, co-workers or visitors, should first clearly inform the individual engaged in offensive behavior that his/her behavior is offensive or unwelcome and request that the behavior stop. If the behavior continues, or if the employee does not feel comfortable addressing the individual engaging in offensive behavior, the employee must immediately bring the matter to the attention of his/her supervisor or the Human Resources Department. If your supervisor is the source of the alleged behavior, report the problem to the City Manager or the HR department. All complaints should be made in writing and will be investigated thoroughly, confidentially, and without bias.

City of Alpine

Personnel Policies and Guidelines

Any employee, who becomes aware or observes any of the above-referenced behavior or actions by a co-worker, consultant, customer, third party vendor, visitor, or anyone else, must notify a Supervisor or the Human Resources Department immediately and submit a written statement detailing the behavior.

Employees should notify the Human Resources Department if they are aware of any restraining orders that are in effect, or of the existence of any other non-work-related situations with the potential to erupt into workplace violence.

F. RETALIATION

The City of Alpine prohibits retaliation of any kind against employees who, in good faith, bring harassment or workplace violence complaints or assist in investigating such complaints.

To the extent possible, and within the limits of the Texas Public Information Act, the City of Alpine keeps the identity of the reporting employee confidential. However, under certain circumstances, the City of Alpine may need to disclose the reporting employee's identity.

Any City of Alpine employee who violates this policy is subject to disciplinary action up to and including termination.

G. INVESTIGATION & DISCIPLINARY ACTION

All discrimination, harassment, and/or retaliation complaints will be forwarded to Human Resources. All complaints will be promptly and thoroughly investigated to determine whether the alleged misconduct occurred.

Supervisors must treat all complaints seriously and confidentially. All reports or

City of Alpine Personnel Policies and Guidelines

suspicious of discrimination, harassment, sexual or otherwise, and/or workplace violence which come to a supervisor's attention must be referred immediately to Human Resources for investigation.

The individual alleged to have discriminated or harassed another may be suspended with or without pay. During such suspension, an investigation will be conducted by the City of Alpine.

If, after a thorough investigation of any complaint, the City of Alpine determines that harassment, discrimination, or work place violence has occurred, appropriate corrective action will be taken, and discipline will be imposed on the offending employee(s).

The level of appropriate discipline will depend on the facts in each case, but may include oral or written warnings, reassignment or responsibilities probation, suspension, or termination. If a non- employee is responsible for the behavior the City of Alpine will take corrective action.

If the investigation reveals that the charges were brought falsely and with malicious intent, the charging party may be subject to disciplinary action, up to and including termination.

Any employee who has a complaint of sexual harassment at work by anyone, including supervisors, co- workers or visitors, should first clearly inform the harasser that his/her behavior is offensive or unwelcome and request that the behavior stop. If the behavior continues, the employee must immediately bring the matter to the attention of his/her supervisor. If the immediate supervisor is involved in the harassing activity, the violation should be reported to that supervisor's immediate supervisor.

City of Alpine

Personnel Policies and Guidelines

If a supervisor or a personnel officer knows of an incident of sexual harassment, they shall take appropriate remedial action immediately. If the alleged harassment involves any types of threats of physical harm to the victim, the alleged harasser may be suspended with pay. During such suspension, an investigation will be conducted by the City of Alpine. If the investigation supports suspension, an investigation will be conducted by the City of Alpine. If the investigation supports charges of sexual harassment, disciplinary action against the alleged harasser will take place and may include termination. If the investigation reveals that the charges were brought falsely and with malicious intent, the charging party may be subject to disciplinary action, including termination.

H. NEPOTISM

The City of Alpine will comply with the nepotism policy set forth by State Law. No individual may hire, supervise the work of, audit the work of, or have control over the compensation, assignments, working conditions, or hours of the work of any person related to the individual within the third degree of consanguinity (related by blood) or the second degree of affinity (related by marriage). All employees and prospective employees shall be required to disclose any and all degrees of relationship to other employees. The City of Alpine considers falsification of personnel records to be a serious offense, and upon discovery of the purposeful falsification, may initiate disciplinary action up to and including termination.

III. EMPLOYMENT STATUS

Applicants shall complete an "application for employment." The application is also encouraged to submit other supporting information such as Resumes, Letters of Recommendation, etc. Applications for employment will not be returned to the applicant. A verification of employment history and a background check will be completed when

City of Alpine Personnel Policies and Guidelines

applicable.

1. Educational Qualifications

For qualifications required for a position, see the City of Alpine Personnel and Policies Guidelines Job Descriptions section.

2. Employment & Orientation

All recruitment and selection procedures are in accordance with the City of Alpine policy of Equal Employment Opportunity. Selection of an employee from among the applications for a position will be based on individual merit and the ability to perform the duties required of the position. Selection will be made without regard to race, color, sex, age, religion, national origin, political affiliation or physical handicap. Final decision to employ an application rests with the City Manager. When a decision is reached, the City will formally notify the applicant of selection for the position.

A. PROBATION PERIOD

The probation period is a time of adjustment to a new job and to a new environment. Every New employee must go through a satisfactory training period determined by the department head with a minimum of ninety (90) days. Your supervisor will assist you and guide you during this time and will keep your progress records to appraise your performance and adaptation to your new job. Two weeks before Training Period ends, Performance Appraisal will be turned over to the City Manager or his designee with a recommendation of retention or termination. A new employee must earn a satisfactory rating to become a regular employee of the City. An employee in training is not entitled to take vacation but may accumulate Paid Time Off. Accumulated sick leave or vacation time may be taken during the training period, upon the department head approval.

City of Alpine

Personnel Policies and Guidelines

B. CLASSIFICATION

1. Full-Time Employees

All employees shall be paid either a salary or hourly wage for their position as determined by the approved position wage range. The salary or wage may be based upon an hourly or monthly basis as appropriate. Full time employees accumulate sick leave and vacation time, enrolled in the City's retirement plan, and health insurance plan. Full -time employees are paid for city holidays and may accrue comp time.

3. Part-Time Employees

Part-time employees work no more than thirty (30) hours per work week. Part time employees do not accumulate sick leave or vacation time. They also do not receive health insurance benefits. They are not paid for city holidays and do not accrue comp time or time off.

4. Temporary Employees

Temporary employees work no more than twenty (20) hours per work week and for no longer than six (6) months. Temporary employees do not accumulate sick leave or vacation time. They also do not receive health insurance or retirement benefits. They are not paid for city holidays and do not accrue comp time or time off.

5. Seasonal Employees

Hours based on need for no longer than three (3) months. Seasonal employees do not accumulate sick leave or vacation time. They do not receive health insurance or retirement benefits. They are also not paid for city holidays and do not accrue comp time or time off.

City of Alpine Personnel Policies and Guidelines

6. Intern

Interns work ten (10) to twenty (20) hours per work week for no longer than six (6) months. Intern employees do not accumulate sick leave or vacation time. They do not receive health insurance or retirement benefits. They are also not paid for city holidays and do not accrue comp time or time off.

C. WAGE & SALARY

1. Origin of Pay Increases

Any increase in pay for employees shall originate with the Department Head and shall be submitted to the City Manager for final approval. All pay increases shall fall within the approved budget. Pay changes will only be made once documentation from the department head submits proper documentation to Human Resource.

2. Types of Pay Adjustments

The following types of adjustments apply.

- Merit Increases shall be granted on a standard based upon an employee's excellence in job performance. The standards shall be set for each job class based upon the employee's performance evaluation review. Merit range of the pay grade or to the maximum range granted to certain designated job classes.
- COLA – or cost of living increase – Employers are not required to give out raises based on the cost of living. COLA will take place at the discretion of the Council.

D. PERSONNEL FILES

The City of Alpine maintains personnel files for every employee. It is

City of Alpine

Personnel Policies and Guidelines

important that accurate, current records be maintained for benefits and employment purposes. All employees are required to notify the Human Resource Office immediately if there is any change in relevant personnel or employment information such as; changes in address, phone numbers, emergency contact, and insurance beneficiary, number of dependents or legal name.

E. PROMOTIONS

Promotions are given on a competitive basis and an effort is made through Supervisors and Department Directors to promote qualified employees who want to take on more responsibility. When the City has vacancies, the Department Heads and Supervisors look for qualified employees in other City's departments to fill these vacancies. The City advertises on the following websites: cityofalpine.com; visitalpine.com and tml.careerwebsite.com. However, if there are no qualified employees, normal methods of recruitment are then used to fill the vacancies. In addition to the availability of a higher position, promotions also depend on your tenure, satisfactory performance rating, satisfying the job requirements, recommendation of your Supervisor and your willingness to take on a more responsible job.

F. DEMOTIONS

Demotions may be necessary from time to time. A demotion is a transfer of an employee from one position to another for which the maximum rate of pay is lower. There are several reasons for demotions: a reduction of workforce, failure to meet the minimum requirements for the position, and disciplinary reasons. If the City or a department is forced to reduce its staff, you may be asked to take a lower position. (An employee may also be reassigned to a lower and less demanding job if unable to continue handling the original duties of the position hired). If you have been promoted to a higher position and you fail to meet the

City of Alpine

Personnel Policies and Guidelines

minimum requirements of the new position, you may be placed back in your original position or a similar position with less pay than you had been promoted to. Your Supervisor may also recommend a demotion as a disciplinary measure, if you have violated any of the Personnel Policies and Guidelines.

G. COMPLAINTS

Complaints about your work assignments, safety concerns or treatment by your Supervisor should follow the appropriate steps:

- a) Talk with your immediate Supervisor.
- b) Make your complaint in writing and send it to your Department Head. The Department Head will review your complaint, comment on it, try to resolve and/or forward it to the City Manager.
- c) The City Manager will review your complaint and try to resolve.
- d) If the City Manager is unable to resolve, he/she will forward the charges to a Grievance Committee.
- e) Grievance Committee will review, investigate and handle via the Grievance Procedure.

This section provides employees of the City of Alpine with a formal grievance process for resolving workplace issues. The employee who feels that they have been improperly or unfairly treated in their job or in their relationship with the City shall have the right to file a grievance. Work assignments that are valid City responsibilities and tasks cannot be grieved.

H. GRIEVANCE PROCEDURE

Grievances may include such things as discipline, transfer, job posting selection, raises, unfair assignment of vacation or holiday time, a personal request that was denied, etc. The procedure cannot be used to appeal decisions related to

City of Alpine

Personnel Policies and Guidelines

the City's responsibility to determine the number and assignment of employees, to establish rules of conduct, to determine the hours and days of work, starting and quitting times, wages and benefits, etc.

Any employee regardless of status may submit a grievance when he/she believes they have been wronged by a supervisor or co-worker(s). However, before using this process, employees are encouraged to talk over the problem with their supervisor or co-worker(s). **(Refer to the Complaint Process)**. The grievance process is not a substitute for an appeal of a disciplinary action. When an employee believes that he or she has been harassed or discriminated against, he/she should reference that section of this policy manual.

Failure to act within the allotted time detailed below may result in a forfeiture of grievance opportunities. Former employees and employees on suspension are ineligible to participate in the grievance process.

The Grievance Committee will consist of a City Employee, a Council Member and a Citizen of Alpine. Committee members will serve for an indefinite period of time. City Council will approve, by Resolution, if there is any vacancy based on recommendation from the City Manager.

Step One

Submit your grievance in writing to your supervisor. The grievance must document the circumstances and include the following information:

- a) The exact law, policy, directive, etc., the employee believes has been violated.
- b) How and why the employee believes they have been wronged, or why the employee believes their evaluation does not accurately reflect their

City of Alpine

Personnel Policies and Guidelines

performance.

- c) All grievances must be signed and dated.
- d) Written grievances must be submitted to their Department Director and/or Human Resources Director within 5 business days of the Department of Human Resources Director decision.
- e) The City Manager will make a decision within 5 business days.

Step Two

If your grievance is not settled in five (5) business (working) days in Step One, submit your written grievance to the City Secretary and it will be given to the Grievance Committee with all pertinent data within one (1) working day by the City Secretary. The data will then be brought to the Grievance Committee, which shall be made up of one City Councilor, one City Employee and one City Taxpayer named by the City Council. The committee will have three (3) working days to resolve the grievance.

Step Three

The Grievance Committee shall submit their recommendations to the City Attorney for review before a final solution is rendered.

Step Four

If the grievance is not satisfactorily resolved from the results of the hearing the employee shall within three (3) business days inform the City Secretary of his desire to meet with the City Council in Executive or Open Session. The City Manager will schedule such a hearing on the agenda of the next scheduled City Council meeting and the employee will be notified of the time and date of such meeting. Discussion of the grievance must be limited to those persons with grievance solution responsibilities and at no time will be notified of the time and date of such meeting. Discussion of the grievance must be limited to those persons

City of Alpine

Personnel Policies and Guidelines

with grievance solution responsibilities, and at no time will the individual members of the City Council be contacted outside of an official City Council meeting.

Step Five

After the employee has his meeting before the City Council, its decision will be given at that time. This decision is, in all cases, final and binding. The employee will be provided with a written copy of the decision within two (2) working days from the City Secretary.

Stopping the Grievance Procedure

Only the employee who has filed the grievance shall be able to stop this procedure either by action or inaction.

The grievance procedure shall be stopped if:

- a) The employee indicates he is satisfied with the action to resolve the grievance at any level of the procedure.
- b) The employee, for any reason, indicates that he no longer wishes to continue the grievance procedure.
- c) The employee fails to take action to continue with the next step of the procedure within three (3) working days of completion of the prior steps.

Adverse Action

No adverse action shall be taken against any employee for reason of his exercise of the right to file a grievance either by Administration nor Supervisory Staff.

I. RESIGNATION

Resignations of employees will be accepted by the Department Heads and City Manager. Procedures to be followed to ensure favorable recommendations

City of Alpine

Personnel Policies and Guidelines

from the City for future prospective employers (other than performance of duties while employed) will be:

1. Proper notice of two (2) weeks when possible and when circumstances will allow after discussion with the Department Head and City Manager. Return to the City all material and equipment assigned for the employee use in good condition.
2. Report on present assigned duties as to degree of completion.
3. Resignation submitted by any employee and accepted by Department Head and City
4. Manager becomes final with no further recourse or consideration by the City of Alpine.
5. Resignation must be in writing. Once an employee turns in their two weeks' resignation, that employee can NOT take sick time, vacation etc... If that employee does not show up for work in that two-week period, they are immediately terminated.
6. If an employee is absent for 3 days, without calling, showing up for work, or providing a written resignation, it will be determined that they have "resigned" or quit their job.

Employees who don't leave in good standing are considered not eligible for rehire.

Rehire Eligibility

The following conditions must be met:

- Must give at least two weeks (ten working days or fourteen calendar days) notice of terminating their employment.
- Cannot have a disciplinary termination pending at the time of resignation.

City of Alpine Personnel Policies and Guidelines

- Cannot be on a performance improvement plan at the time of resignation.
- Must return all records and/or property of the City in good working condition per the Separation from Employment Form.

The final decision to designate an employee as eligible for rehire rests with the City Manager.

J. INVOLUNTARY TERMINATION

All employees are employed at will. An employee may be discharged at any time for any reason not prohibited by law. Discharged employees will receive their final pay on the next scheduled regular payroll date following termination provided a completed and signed Separation from Employment Form, has been submitted to Human Resources. Severance pay will not be granted to any city employee without the majority approval of the City Council.

K. ADMINISTRATIVE LEAVE

An employee can be placed on administrative leave with or without pay for a suspected violation of state, Federal or local law, City ordinance, a rule, regulation, or any policies set in this employee handbook.

The City Manager must approve any administrative leave with pay pending the outcome of the investigation that may lead to disciplinary action up to and including termination.

L. SEVERANCE PAY

Severance Pay to employees will not be authorized unless by the majority vote of the City Council.

City of Alpine

Personnel Policies and Guidelines

IV. COMPENSATION AND BENEFITS

A. PAY PERIODS

Pay Periods will commence on a **Sunday** and run for ten (10) working days, including official holidays, and end on the second **Saturday** following the beginning of the pay period. Payday will be on the **Friday following** the close of the pay period. Employees will be paid every two weeks.

Employees who do not work a complete pay period will be paid their hourly rate, equal to the hourly amount of time worked for the period, unless their absence is covered under a provision regulating absence with pay. There shall be NO payroll advances at any time, for any purpose. All non-salaried employees and salaried employees must submit universal time sheets in a form prescribed by the City of Alpine for each pay period. Time sheets must be submitted to the appropriate Supervisor at the end of the pay period, for approval and signature. The Supervisor will submit all timesheets to **Payroll**.

WORK WEEK DEFINED

Regular Work Hours are from 8 a.m. to 5 p.m. commencing on **Sunday** morning and ending the following **Saturday** evening for a total of forty (40) hours per week. Alternative 40-hour work schedules may be established to meet departmental needs.

A non-salaried employee is not allowed to work more than forty (40) hours per week, unless authorized in advance by the Department Head who must have all overtime hours approved by the City Manager or designated representative.

City of Alpine

Personnel Policies and Guidelines

All non-salaried employees will be compensated for all hours actually worked in excess of the 40 hours per work week. The employee will specify whether the overtime earned will be paid in cash or in compensatory time off.

B. OVERTIME POLICY

Overtime is that time an employee actually works in excess of forty (40) hours within a work week. Each work week stands alone in the calculation of overtime. Hours from one work week cannot be offset by time off in any other work week. For an employee to be entitled to receive overtime, the actual hours of work in the work week must exceed forty hours, except during holiday weeks as specified below.

Work in excess of eight (8) hours during the regular work day is not overtime. Overtime is computed on all hours actually worked in excess of 40 for the entire work week. An employee who is on paid or unpaid leave status (i.e. Sick Leave, Vacation Leave, Holiday Time, Catastrophic Sick Leave, Emergency Leave, Maternity Leave, Extended Leave, Suspension, leave without pay, jury duty, etc.) during the work week is not working and those leave hours are not considered as hours worked in computing overtime hours and are not eligible for overtime payment. Department Heads may adjust work schedules for employees who have been required to work hours in excess of a standard work week as defined above (including scheduled days off).

C. FLEXIBLE WORK TIME

The operating days and hours of the City of Alpine are Monday through Friday, 8:00 a.m. to 5:00 p.m., with the exception of the Police Department. All employees are expected to be at work during these hours unless approval is granted for a flexible work schedule (flextime).

City of Alpine

Personnel Policies and Guidelines

Flextime at the City is a work schedule with time of arrival and departure that differs from the standard operating hours. Supervisors will approve flextime on a case-by-case basis. Full-time employees who have completed at least ninety (90) days of employment are eligible for flextime. The employee must first discuss possible flextime arrangements with his/her supervisor and then submit a written request using the Time Off Request Form. The supervisor will approve or deny the flextime request based on staffing needs, the employee's job duties, the employee's work record and the employee's ability to temporarily or permanently return to a standard work schedule when needed.

A flextime arrangement may be suspended or cancelled at any time. Exempt employees must depart from any flextime schedule to perform their jobs. Non-exempt employees may be asked to work overtime regardless of a flextime schedule.

D. CERTIFICATION INCENTIVE PROGRAM

The City of Alpine, in order to operate at its most efficient level, believes that employees should continue learning through experience and formal schooling. The rewards for this type of training will pay dividends to the City in making it a safer, healthier and more desirable place to live. To the employee, the benefits are of course self-improvement, more efficiency, gained expertise, and monetary rewards. The City has set up an incentive program for City employees who want to better prepare themselves for their jobs through schooling in their respected job fields. Employees who hold approved certifications that prove they are knowledgeable and highly qualified for jobs will receive additional pay up to and above base salary. The pay increases are based on the degree of difficulty of obtaining these certificates. An employee with approved certification becomes

City of Alpine Personnel Policies and Guidelines

more valuable to the City. The City of Alpine will recognize the following certificates for pay increases as listed.

Texas Commission on Law Enforcement Officer Standards and Education

Certification pays

Intermediate \$1000.00 a year = .48 per hour

Advanced \$2000.00 a year = .96 per hour

Master \$3000.00 a year = \$1.44 per hour

The certification pay is added to the officers pay every two weeks. Example: a master police officer will make \$3000.00 a year on top of his hourly pay. \$3000.00 divided by 26 pay periods is \$115.38 per pay check.

Extra certification pays

Field Training Officer (FTO) \$1000.00 per year = .48 per hour

Evidence Custodian \$1000.00 per year = .48 per hour

Firearms instructor \$1000.00 per year = .48 per hour

TCOLE instructor \$1000.00 per year = .48 per hour

Crime Scene Technician \$1000.00 per year = .48 per hour

K-9 Certification \$1,500 per year = .72 per hour

Dispatchers

Basic \$1000.00 per year = .48 per hour

Intermediate \$500.00 per year = .24 per hour

Advanced \$500.00 per year = .24 per hour

Master \$1000.00 per year = .48 per hour

City of Alpine Personnel Policies and Guidelines

Texas Department of Health

Intermediate Animal Control Officer \$40.00 per Month

Advanced Animal Control Officer \$50.00 per Month

Code Enforcement Certificate \$50.00 per Month

Texas Commission on Environmental Quality (TCEQ) “Raise at Time of Licensing”

Ground Water or Wastewater Operator Certificate of Competency

Grade “D” \$1.00 per Hour

Grade “C” \$1.00 per Hour

Grade “B” \$1.00 per Hour

Grade “A” \$1.00 per Hour

Hourly Employees Only on Water Licensing “Raise at Time of Licensing”

Public Works Department CDL \$1.00 per Hour

Any employee receiving payments for the certifications in one employment category as listed that is then demoted or transferred to another category will lose their Certification Incentive Pay at the time of demotion or transfer. Failure to retain a current certificate through additional education or training as specified by the applicable issuing agency will cause Incentive Program benefits to be canceled at the time of certificate expiration. Employees must present their certificates and supporting documentation to the Human Resource or his designee for recognition by the City of Alpine.

City of Alpine

Personnel Policies and Guidelines

E. INSURANCE COVERAGE

The Insurance Coverage available to every full-time regular employee within 60 days of being employed. Insurance coverage includes medical (including Mental Health and Substance Abuse Treatments), life dental and prescription drug coverage. A brochure will be provided to each employee at the time of enrollment. Insurance Coverage will be provided at little cost to the employee. Each employee will have the option to purchase additional dependent health insurance which will be deducted through payroll twenty-four times per year. The City of Alpine provides a \$25,000 (twenty-five thousand dollar) life insurance policy, and a Long-Term Disability policy on each employee enrolled for coverage. The employee has the option to purchase additional life insurance coverage for themselves and each dependent named on the policy in \$10,000 (ten thousand dollar) increments.

All City employees are covered through Texas Municipal League for Worker's Compensation Insurance. Any employee who is injured while performing a work assignment must notify their supervisor immediately. All Workers' Compensation claims will be properly administered through the office of the **Human Resource**.

F. RETIREMENT

All full time and part time City of Alpine employees will be enrolled in the City's Retirement Plan administered through Texas Municipal Retirement System. Retirement will be deducted through payroll at the rate of 5% of the employee's gross salary. Retirement refunds may be requested at the time of separation.

G. OVERTIME

Employees asked to work Overtime will be compensated as outlined in Section - Pay Periods.

City of Alpine

Personnel Policies and Guidelines

H. LONGEVITY BENEFIT PAY

Regular full-time employees shall be entitled to additional compensation at a rate for \$4.00 dollars a month for each full year with the City. The longevity pay benefit will be paid out on the first paycheck in December for all employees who have completed at least 90 days of service with the City as of November 30.

I. EMPLOYEE LEAVE TIME

a) Sick Leave

Full-time employees start accruing sick time at a rate of 3.33 hours per paycheck from their first day of employment.

i. Practices & Procedures:

- New employee's accrued time will not be applied until they are out of the Ninety (90) days probationary period.
- Employees on any unpaid status (Leave Without Pay, Unpaid FMLA, Military Leave) will not accrue sick time while they are in unpaid leave status.
- If any employee is on sick leave for more than 2 consecutive work days they **MUST** provide medical documentation verifying the leave is necessary. Such documentation can be requested at the discretion of the Supervisor for any use of sick time.
- Supervisory approval is not required for the use of sick time because illness cannot be planned. However, employees must call and speak with their supervisor when they use sick time.
- A **Time off Request Form**, must be completed upon the employees return and submitted with their timesheet.
- This form can be submitted and approved in advance when sick

City of Alpine

Personnel Policies and Guidelines

time is used for scheduled medical appointments.

- Employees can use sick time for their own illness or for illness of any member of their immediate household. In this context, immediate households are considered to be persons with whom the employee lives on a regular basis.
- If an employee calls in sick and is seen eating out, shopping etc... That employee is subject to discipline and/or terminated.
- There is no limit on sick time accrual. Employees may carry over all unused sick time from the end of one fiscal year to the beginning of the next fiscal year.

b) Vacation Leave

The City of Alpine encourages employees to make regular use of annual vacation time as this is a benefit you have earned. Employees begin earning vacation time upon their first day of employment but are NOT eligible to use the accrued time during their first 90 days while in the probationary period, unless authorized by the Department Head.

Vacation will be earned according to years of service with the City as outlined in the schedule below.

- 0-5 years & 11 months of service: 4 hours per biweekly pay period
- 6-10 years & 11 months of service: 5 hours per biweekly pay period
- 11 plus years of service: 6 hours per biweekly pay period

i. Practices & Procedures:

- Requests for vacation time (if requesting five (5) or more consecutive days) must be submitted, in writing, to your supervisor

City of Alpine

Personnel Policies and Guidelines

for approval three (3) weeks in advance of the requested dates. Time off Request Form has to be completed.

- Every effort will be made to grant your requests to take vacation however requests are subject to the needs of the city.
- If more than one employee requests the same day or days off seniority will be used as the deciding factor in granting the request.
- If vacation time cannot be granted and an employee is absent on the day(s) requested they will not be paid for the time off.
- If the employee takes sick time after being denied vacation the employee will be required to furnish medical evidence supporting the absence. If medical evidence is not furnished the employee will not be paid for the absence.
- Employees who are in an unpaid leave of absence status will not accrue vacation until they return to work on a regular basis. The City does not advance vacation time.

c) Carry Over Provision

Employees may carry over a maximum of three weeks' vacation time (120 hours) from the end of one fiscal year to the beginning of the next fiscal year. Any vacation time accrued but not taken in excess of 120 hours will be forfeited at the end of the fiscal year. Employees may carry over all unused sick time from the end of one fiscal year to the beginning of the next fiscal year. There is no limit on sick time accrual.

J. SEPARATION OF SERVICE

Upon separation of employment by resignation, termination, retirement or death, the employee or designated survivor will receive monetary compensation for any unused vacation time. No compensation will be paid for unused sick time.

City of Alpine

Personnel Policies and Guidelines

K. OFFICIAL HOLIDAYS

The City of Alpine will observe all required Official State and Federal Holidays, as determined by Council. Each full-time employee will receive 8 hours pay for each day of holiday designated by the Council. An employee may be required to work on a designated holiday. Employees who must work on designated holidays either by special assignment or by regular shifts will be compensated for the holidays worked by being paid 8 hours for the holiday as well as full pay for the amount of time actually worked on the holiday. This policy will also apply to situations in which the employee is taking regular time off after 40 hours in the week when the holiday occurs.

Holidays must be taken as they occur each year as provided herein and cannot be carried over from one year to the next as earned but unused vacation time, or as a form of compensatory time which must be used in the year it is accrued and cannot be carried over from year to year.

L. FAMILY AND MEDICAL LEAVE

1. Catastrophic Sick Leave Pool Statement of Purpose

The Catastrophic Sick Leave pool is created to benefit certain employees who suffer catastrophic injury or illness. A catastrophic injury or illness is defined as a severe condition or combination of conditions affecting the mental or physical health of the employee or the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all Paid Time Off earned by that employee.

a) Definitions

City of Alpine

Personnel Policies and Guidelines

Licensed practitioner means a practitioner, as defined in the Texas Insurance Code, who is practicing within the scope of an issued license.

Immediate family is defined as those individuals related by kinship: adoption, marriage or foster children who are so certified by the Texas Department of Human Services who are living in the same household or if not in the same household are totally dependent upon the employee for personal care or services on a continuing basis.

b) General Provisions

Employees of the City of Alpine who are eligible to accrue and use Paid Time Off may participate in the pool. Employees must exhaust all earned leave with pay entitlement before they may use leave from the pool.

Employees who use pool leave are not required to pay back pool leave. Any unused balance of pool leave granted to an employee returns to the pool. The estate of a deceased employee is not entitled to payment for unused pool leave. Sick leave days from the pool will not be granted for a period of disability when monies are paid to the member under the Worker's Compensation Act. All unused sick leave days in the pool at the end of the fiscal year will be carried over to the next fiscal year.

c) Administration of the Pool

The City Council of the City of Alpine shall form a Sick Leave Pool Committee which shall be composed of the following members:

City Manager

City Secretary

Supervisor of the department from which the employee is making the

City of Alpine

Personnel Policies and Guidelines

request.

The Finance Director will become the pool administrator who will be responsible for developing mechanisms to transfer accrued sick leave into and out of the pool and designing forms for contributing leave to, or using leave from the pool.

d) Eligibility for Membership

For employees to be eligible to use sick leave from this pool, they must sign the appropriate forms and contribute a minimum of eight hours per fiscal year. This does not exclude those employees who wish to participate in the sick leave pool but do not have the accrued eight hours of sick leave. The commitment to donate to the pool will reflect a contribution by the employee, even if the employee has not been able to accrue and donate the minimum eight hours. Those employees not wishing to participate in the sick leave pool will not be eligible to use sick leave from this pool.

e) Contributions to the Pool

Contributions to the pool are strictly voluntary. To contribute time to the pool, an employee must submit a written application in the form prescribed by the pool administrator. Active employees may contribute not less than eight hours of sick leave to the pool each fiscal year in order to participate in the pool. Employees may contribute as many accumulated hours as they wish to the pool.

f) Requests to use Leave from the Pool

Requests for pool leave will be in writing with such documentation deemed necessary by the pool administrator and forwarded to the pool

City of Alpine Personnel Policies and Guidelines

committee. Requests will be considered by the pool committee on a first come, first served basis. The pool committee will have ten working days from the date the committee receives the request in which to approve all or part of the request, or deny the request. The amount of pool leave for each catastrophic illness or injury will be determined by the pool committee. An application must be submitted to the pool administrator before leave is granted containing the following information:

1. Completion of the attending physician's statement which includes:
 - a. Identification of the nature of the illness.
 - b. Date of initial onset of this particular condition.
 - c. Anticipated date eligible to return to work on a full-time basis.
 - d. Statement from the physician that the condition requires immediate attention.
2. Dates of absences from work for the illness or injury.
3. Anticipated days, if any, for follow-up examinations.
4. If a member is critically ill and unable to file an application for sick leave days from the pool, the Department Supervisor may initiate the application form at the request of the member or someone in the member's family.

g) Final Decision

Any question concerning contributions, regulations or application for sick leave days that may arise after the adoption of this plan and not specifically covered herein, shall be submitted to the pool committee who will make a recommendation to the city council for a final decision.

Catastrophic Sick Leave Pool Agreement form available at the Human

City of Alpine

Personnel Policies and Guidelines

Resource Office.

M. FUNERAL LEAVE

Funeral leave will be granted when a member of the employee's immediate family dies. Immediate family includes: Husband, Wife, Mother, Father, Sister, Brother, Mother-In-Law, Father-In-Law, Sister-In-Law, Brother-In-Law, Son, Daughter, Son-In-Law, Daughter-In-Law, Grandchild, Grandmother, Grandfather. In addition, if a deceased person acted in the capacity of one of the listed relationships, (e.g. a person who raised the employee instead of a parent) funeral leave may be granted. Funeral leave will be granted at the discretion of the supervisor for the purpose of attending funeral, traveling to the funeral, and making any necessary arrangements. The supervisor will consider the travel distance required, the closeness of the relationship between the employee and the deceased, and any other pertinent factor. Typically, funeral leave will be 1-3 days, but exceptional cases can be handled on a case by case basis

N. MATERNITY LEAVES

Maternity Leave may be granted to expectant parents without pay for a maximum period of ninety (90) days, upon the approval of the City Manager. Expectant parents are allowed to work as long as work is adequately performed and the work does not endanger the health of the employee. At the time the expectant parent leaves the job, the employee may elect to resign or may request maternity leave without pay. Employees on maternity leave may elect to use accumulated Vacation or Sick Leave to cover the maternity leave time off. Employees will retain all benefits accumulated before taking maternity leave.

O. EXTENDED LEAVE

Employees eligible for Family and Medical Leave may take up to twelve

City of Alpine Personnel Policies and Guidelines

work weeks of leave from work during any twelve (12) month period. All employees required to be absent from work will be designated as inactive employees of the City. The inactive employee will be notified of their rights under the Family and Medical Leave Act and the continued coverage policy of the City's insurance providers.

P. MEDICAL CONDITION

The inactive employee who is absent due to a medical condition may be compensated through accrued vacation or sick leave or the City's Catastrophic Sick Leave Pool, but will not accrue additional Paid Time Off, and will not receive insurance benefits paid by the City. Insurance coverage may be purchased by the employee through the City's policy (Example COBRA).

Work Related Injury

The City Worker's Compensation coverage will issue checks directly to the inactive employee. For the first twelve weeks, the inactive employee is required to endorse the Worker's Compensation check and return it to the City of Alpine IMMEDIATELY for reimbursement of one-hundred percent compensation paid by the City of Alpine.

After twelve weeks, the City of Alpine will no longer compensate the inactive employee one-hundred percent. The City's Workers' Compensation coverage will issue checks directly to the inactive employee at the rate of seventy to seventy-five percent. The inactive employee will retain this check as compensation. The City of Alpine will compensate the inactive employee for the difference being twenty-five percent to thirty percent. The City of Alpine will continue to provide health insurance for the inactive employee. This process will continue until the inactive

City of Alpine

Personnel Policies and Guidelines

employee is released to full duty.

Q. MEDICAL INSURANCE

One of the greatest benefits the City of Alpine provides to all full-time employees is insurance coverage at no cost to the employee. The plan includes medical (including Mental Health and Substance Abuse Treatments), vision, dental and prescription drug coverage. Employees may waive coverage.

Employees can choose coverage for their spouse and dependents at their own expense. The premiums to cover insurance for an employee's family are paid through payroll deduction 24 times per year. Contact the Human Resources office for the premiums.

R. LIFE INSURANCE

The City of Alpine also provides basic life and accidental death and dismemberment (AD&D) coverage to all full-time employees at no cost to you. The policy pays your beneficiary a benefit if you die while you are covered.

Your beneficiary is the person (or persons) who receive the benefit payment if you die while you are covered by the policy. You must select your beneficiary when you complete your enrollment application. Employees must work 90 days before being eligible.

S. RETIREMENT

The City of Alpine has chosen the Texas Municipal Retirement System (TMRS) to administer its retirement plan for all full-time and part-time employees. All employees must participate in the city's retirement plan and participation starts on an employee's first day of employment.

City of Alpine Personnel Policies and Guidelines

The employee contributes 5% of their gross income each pay period through payroll deduction. The deduction is before income taxes are withheld and you do not pay taxes on those deposits until you refund or retire.

Retirement refunds may be requested at the time of separation.

All employees will be given detailed information about the retirement plan and how to contact TMRS during new hire orientation.

V. CITY OF ALPINE POLICIES & PROCEDURES

A. TRAVEL POLICY

1. Employee Responsibilities:

a) Authorization to Travel

Supervisors can authorize, within their budget, local travel for all employees in their department. Overnight business trips will be authorized by the Department Head and the City Manager and subject to the provisions of the travel policy.

b) Official Travel

Official travel is travel that is reasonable and necessary for the conduct of official City business. Mileage rates are based on the IRS mileage guide.

c) Travel To and From Business Locations

Travel should occur so as to minimize travel expenses. If travel can be accomplished the same day as the start of a school, conference,

City of Alpine

Personnel Policies and Guidelines

seminar, etc., the City's costs will be reduced. Day prior travel is permitted if necessary, to be in place for an early start time for City business the next day. Similarly, if the reason for travel does not end until after a full day's business, the traveler is authorized to stay overnight before returning to the City. Day prior travel just to be in position for a golf tournament or other athletic or social events is not authorized for reimbursement.

d) Per Diem

Employees will receive per diem funding for meals while travelling on overnight City business. The City follows Federal per diem guidelines located at: www.gsa.gov. This will be at the federal guidelines rate. Non-overnight work-related City Business meals will be reimbursed by receipts only.

- Tips, up to 20%, are allowed.
- Alcoholic beverages are not reimbursable.
- Only City employee expenses are reimbursable.

If local area travel requires you to conduct City business before and after, or during meal hours, the cost of these meals can be reimbursed.

e) Lodging

Receipts are required. Actual lodging expenses will be paid for by credit card by the City of Alpine. Reservations for lodging should be made at the lowest rate possible. In most cases, this will be the "governmental rate". However, in some instances a "corporate rate" or other rate will be lower.

City of Alpine

Personnel Policies and Guidelines

f) Transportation

Reimbursement of transportation costs will be based on the most economical and practical mode of transportation for the City, cost and other factors considered. In no case will mileage or transportation expenses be allowed when one is gratuitously transported by another person.

g) Air Transportation

Use coach-class accommodations. If there is little likelihood that travel arrangements will change, airfare should be booked as early as possible and all discounts should be pursued. Receipts are required for reimbursement.

h) Personal Vehicle

Employees may be reimbursed for the use of privately owned vehicles while on official travel at a rate set by the IRS. No other expenses or cost of operating a personally owned vehicle are allowed, other than for the cost of parking fees or toll charges.

Reimbursement shall be on the basis of the most direct route. Any substantial deviations from distances shown on the standard highway mileage guides must be explained.

Employees who receive a car allowance are not eligible for reimbursement for local area (up to 30 miles radius of the City) transportation expenses.

i) Rental Vehicle

Rental of a vehicle is authorized when it is more practical and/or

City of Alpine

Personnel Policies and Guidelines

less expensive than the use of taxicabs or other public transportation for official business. Employees must choose the optional insurance coverage. The cost of optional insurance and fuel for the rental car is reimbursable. Receipts are required for reimbursement.

j) Other Expenses Eligible for Reimbursement:

i. Gratuities

Tips for porters, bellhops, skycaps or cab drivers will be reimbursed. A receipt is not required. Taxi Hotel Shuttle Service in Other Cities. A receipt is required for fares in excess of \$10.00. Transportation to/from entertainment and restaurants is not reimbursable.

ii. Telephone

A receipt is required. Business calls charged to lodging bills or credit cards will be recognized as reasonable expenses. One personal phone call per day of reasonable but short duration (20 minutes maximum) will be allowed to call home. A business cell phone can be used to call home for the one personal phone call daily.

iii. Parking

A receipt is required. Actual costs for parking are reimbursable. The most economical parking lot available at airports must be used.

iv. Exception

A receipt is not required for parking fees less than \$10.00 when parking at a self-service lot.

k) Non-Reimbursable Expenses

Travel expenses, which are not reimbursable, include, but are not limited to, the following: Any item of a personal nature, including, but

City of Alpine

Personnel Policies and Guidelines

not limited to:

- Entertainment expenses
- Alcoholic beverages
- Movie rental expense
- Laundry, dry cleaning costs
- Flight trip insurance
- Room service charges
- Transportation (taxi fare, parking, toll fees or mileage) to and from entertainment.
- Repair costs for privately owned vehicles
- Expenses included as part of a registration fee (e.g. meals, lodging, etc.)
- Meals, groceries or gifts for people providing lodging to City employees
- Meals provided at no cost to the traveler, e.g. those provided by friends, family or seminars.
- Lodging provided by family/friends
- Personal trips made in conjunction with business trips
- Airport parking fees in excess of those charged at the airport's least expensive parking lot
- Prior day travel to be in position to participate in a golf tournament or other athletic or social events.

l) Travel Advances

Travel advances are an option available to City employees authorized to travel. City employees requesting an advance must:

- Complete a Travel Advance Request
- Receive approval by Supervisor (or City Manager if applicable).
- Submit to the Office Supervisor for processing

City of Alpine

Personnel Policies and Guidelines

m) Travel Expense Report Submission

Submit to the Office Supervisor a completed Travel Expense Report within 10 days of completion of travel. Include required receipts and any unspent travel advance funds.

- Review Travel Reports for accuracy
- Ensure required receipts are attached
- Ensure any unspent travel advance is returned
- Ensure Travel Reports are submitted to the Office Supervisor within 10 days of completion of travel.

2. Office Supervisor's Responsibilities

- a) Review Travel Expense Report for compliance with this policy
- b) Make payment for authorized travel advances and for reimbursement of authorized travel expense
- c) Report to the City Manager any travel-related problems identified
- d) Deduct travel advances not returned within 20 days of date completed travel from the employee's next paycheck

B. DRUG AND ALCOHOL POLICY

Statement of Purpose

The City of Alpine recognizes that drug and alcohol abuse in the workplace is a major health and safety concern and is committed to providing a safe and drug-free work setting for all employees. The use, abuse and/or misuse of drugs or alcohol can impair an employee's ability to perform assigned duties and may endanger the employee, co-worker and the public. This policy intended to prevent the use, abuse and misuse of drugs and alcohol

City of Alpine

Personnel Policies and Guidelines

by employees and to comply with Section 7.10 of the Texas Workers' Compensation Act and the Drug-Free Act.

General Policy Provisions

This policy applies to all City employees regardless of rank or position and includes seasonal, internship, temporary and part-time employees and all other volunteers covered under Workers Compensation. The policy covers all City premises including offices and parking lots and all City property including lockers, desks and vehicles.

Employees are required to report to work fit for duty: that is, in appropriate mental and physical condition to perform their job duties. Being under the influence of alcohol and/ or illegal drugs while on City premises or while engaged in work for the City is prohibited. The possession, use, sale, transfer or manufacture of illegal drugs and/or alcohol while on City premises or while engaged in work for the City is prohibited. The unauthorized use or possession of prescription drugs on City premises is prohibited. An employee taking any prescription drug must inform the Supervisor of the possible effects of such medication regarding their job performance and mental or physical capabilities.

Employees must not report for duty or be on City premises while under the influence or having in their possession any illegal drug, inhalant, alcoholic beverage or unauthorized prescription drug. Switching, altering or attempting to tamper with any sample submitted for a medical test or otherwise interfering or attempting to interfere with the testing process is prohibited.

Public Works, Public Utilities and Law Enforcement departments may

City of Alpine Personnel Policies and Guidelines

have additional requirements based on Federal and State guidelines.

Violations of policy

Violations of this drug abuse will result in disciplinary action which may range from verbal or written reprimand to suspension, demotion, or termination.

The City Manager will determine the collective action based upon the seriousness of the infraction, the past record of the employee, and the circumstances surrounding the matter. Refusal by an employee to submit to any drug or alcohol screening test authorized by this policy shall be considered reason for disciplinary action up to and including termination.

Random Drug Screening

The City from time to time will randomly Drug and Alcohol Test a subset of employees.

Employee Assistance

Alcoholism and other drug addictions are recognized as diseases responsive to proper treatment. Employees needing help in dealing with substance abuse or addiction problems (including illegal drugs and alcohol) are encouraged to seek appropriate assistance. Treatment or rehabilitation costs may be covered in part by the group health insurance provided by the City for employees. Employees should consult the policy for specific details. Employees shall be eligible to use Paid Time Off as needed in seeking treatment as approved by the supervisor.

The City of Alpine does offer thru our Health Insurance to participation

City of Alpine

Personnel Policies and Guidelines

in drug and alcohol abuse education programs. However, various public and private facilities in the area offer such programs and affected employees are encouraged to seek assistance.

Drug Testing Procedures

All drug testing of employees required by the City shall be conducted by a designated medical facility. A signed testing consent form must be presented to the facility personnel. Tests will be performed on blood or urine samples. Samples will be collected under the supervision of the medical facility personnel according to established procedures. Urine samples are provided in a private restroom stall or similar enclosure so that the employee or applicant may not be viewed.

Containers may not be carried into the testing area including but not limited to clothes, bags, briefcases, and purses.

Refusal to test

Any employee refusing to submit to a required drug use screening test, including refusal to sign the testing consent form, may be subject to disciplinary action up to and including immediate discharge.

Reasons for testing

The City of Alpine requires that the following types of drug screening tests be administered for all employees: Pre-employment, Post-accident, and Reasonable Suspicion.

Pre-employment Testing

New employees will be required to undergo drug testing as part of the

City of Alpine Personnel Policies and Guidelines

screening process. Applicants will receive written notice that employment with the City of Alpine will be contingent upon a negative drug test result. Refusal to give written consent for testing will disqualify the applicant from consideration for employment. Testing will be limited to the top applicant. The applicant will be referred to the designated medical facility for testing. Applicants will present the signed testing consent form to the facility personnel. Applicant screening tests will be performed on blood or urine samples. The Human Resource Department needs to know immediately when a new employee has been hired so that a drug test may be set up before the employee reports for work.

Post- Accident Testing

Any employee involved in a work- related accident which involves an injury to himself or to another or which involves property damage will be required to undergo testing for alcohol and illegal drugs if the accident was caused by the employee. Drug testing shall be done immediately. Employees will be transported to the test site. All reasonable steps will be taken to obtain both urine and blood samples from an employee after an accident. In the case of a conscious but hospitalized employee, the hospital or medical facility will be requested to obtain a sample. If an employee is unconscious or otherwise unable to consent to the procedure, the medical facility shall collect the sample.

If an employee who is subject to post-accident testing is conscious, able to urinate normally (in the opinion of a medical professional) and refuses to be tested, that employee will be removed from duty and subject to discipline up to and including termination.

Reasonable Suspicion

City of Alpine Personnel Policies and Guidelines

The City may require any employee regardless of rank or position and includes all employees (temporary and part-time employees) and all other volunteers to undergo drug testing if there is “responsible suspicion” that the employee or volunteer is under the influence of drugs or alcohol during working hours. “Reasonable suspicion” means an articulate belief based on specific facts and reasonable references drawn from those facts that an employee is under the influence of drugs and/or alcohol. Circumstances which constitute a basis for determining reasonable suspicion may include, but are not limited to:

- Confusion, difficulty concentrating, pronounced mood changes, abnormal or erratic behavior Recent history of alcohol or drug use and unusual work-related accident or injury.
- Frequent absenteeism, tardiness, or leaving work early
- A medical emergency that can be attributed to alcohol and/or drug use Admission of intoxication or being under the influence of an illegal drugs Documented deterioration in the employee’s job performance
- Presence of physical symptoms of drug or alcohol use
- Direct observation of alcohol use, or unlawful manufacturing, distributing, dispensing, Possession or use of illegal drugs or alcohol.

Supervisors are required to detail in writing the specific facts, symptoms or observations which form the basis for the determination of reasonable existence to warrant the testing of an employee.

Use of Prescription Drugs by City Employees form is available at the Human Resource Office.

City of Alpine

Personnel Policies and Guidelines

1. NO SMOKING POLICY

The City is authorized and empowered to enforce ordinances necessary to protect the health and life of its inhabitants; enforce any law that is reasonably necessary to protect the public health, under the Texas Health & Safety Code. The City of Alpine prohibits the smoking of any tobacco or vaping product in all City owned properties, buildings and vehicles.

C. ATTENDANCE POLICY

Employees are expected to report to work on time. Employees who are late or absent should notify the Supervisor in advance. If advanced notice cannot be given, notification should be made as soon as possible. Unexplained absences lasting for three (3) days will result in immediate termination. Continual absences and tardiness may result in disciplinary action up to and including termination.

City Employees – Volunteer Fire Department

Any City employee who volunteers as firefighter, paramedic or in any other first responder emergency Capacity will abide to the following regarding emergency calls:

1. Any emergency calls received during normal business hours may be responded to with the following conditions:
 - a. Employees (volunteers) must advise the supervisor of an emergency call and gain permission from the supervisor to respond.
 - b. Emergency calls must be logged into the volunteer service emergency log book.
 - c. Emergency calls cannot take precedence over any city emergency task or during an “on call” status.
 - d. Hourly wage for positions held with the City will not be

City of Alpine

Personnel Policies and Guidelines

- paid by the City during time away at emergency call.
 - e. Employee (volunteer) will not be charged against vacation/sick time available.
 - f. Full-time employees must work 36 hours in each work week – or have vacation time cover up to the 36 hours.
2. Any City employee who acts in a first emergency volunteer capacity will be allowed to remain at the emergency call location for the necessary time needed to make the emergency area safe with the following conditions:
- a. Any emergency that requires a City employee (volunteer) to be away from their job for more than 8 hours of the regular work day may take time off the following day to recover from time at emergency call by using their available vacation and sick time.
 - b. Any emergency that exceeds 16 hours away from work during a regular work day or a work week will need to be discussed with the supervisor for special permission.

D. SAFETY

The City of Alpine has a responsibility to provide a safe working environment for all employees. Every work station within the City of Alpine should be free of hazards that could result in injuries or accidents. Supervisors have been assigned the task of ensuring the safety of all employees. Each department head will provide training to all Supervisors and employees, concerning safety issues and will provide the Human Resource department with the certificate of completion.

The Human Resources Safety Officer appointed by the City Manager will

City of Alpine Personnel Policies and Guidelines

provide training to all Supervisors concerning safety issues. “For reference to risk management, safety issues, employee actions at accident scenes, emergency conditions, on the job injuries or illnesses, safety equipment, occupational injury, illness record keeping, safety orientation, accidental investigation and reporting, MSCS, written hazardous communication programs and other safety information please consult the City of Alpine Safety Manual.”

E. PERSONAL BEHAVIOR

As representatives of the City of Alpine, employees must maintain the highest level of appropriateness in both public and personal life.

1. Personal use of City equipment is expressly prohibited.
2. An employee warning record will be maintained for determining the quality of the employee's work and said record will include nature of violation such as carelessness, substandard work, conduct, disobedience, tardiness, employee professionalism.
3. No employee, including employees licensed to carry a handgun, shall possess any weapon at any City worksite.
 - a) A certified peace officer does not violate this section by possession of a weapon while at a City work site as long as the peace officer's possession of the weapon is not in violation of state or federal law.
 - b) An employee does not violate this section by possession of a weapon while at a City work site as long as the weapon remains inside a vehicle that is not owned, leased or otherwise controlled by the City and the employee's possession of the weapon is not in violation of state or federal law. No guns to be carried in City vehicles, pickup trucks or other City vehicular equipment unless authorized for use such as in Law Enforcement, Animal Control and peace keeping

City of Alpine Personnel Policies and Guidelines

operations.

- c) An employee does not violate this section by possession of a dart gun, air-powered rifle, or a bite prevention stick while at a City work site if possession of the dart gun or bite prevention stick is approved by the department director and does not otherwise violate state or federal law. A dart- gun air-powered rifle, or bite prevention stick may be used solely in the course of employment of an animal control officer employed by the City.
 - d) This policy is subject to the provisions of State and Federal Law.
4. Any and all accidents, mishaps or other occurrences involving the health and safety of a City employee, and resulting in bodily injury or harm of a serious nature, requiring immediate medical attention, and resulting in the temporary or permanent incapacitation of said employee must be orally transmitted, as soon as possible, after such accident. Any and all accidents, mishaps or other occurrences, involving any monetary damage of \$25 or more, to City property such as a vehicle, pickup truck or other vehicular equipment rendering the same temporarily or permanently inoperable, must also be orally transmitted, as soon as possible, after such accident, mishap or occurrence, to the appropriate Department Head for the mutual protection of City and its employees. A written report is to be prepared within 24 hours and turned in to the Department Head, City Manager and Human Resource for the City record.
5. Everyone is encouraged to take their two (2), fifteen (15) minute breaks. No one, however, is to leave the building to run errands on their breaks (unless approved by Supervisor). Breaks are to be taken 15 minutes in the morning and 15 minutes in the afternoon. They are not to be accumulated during the day to be added to the lunch hour nor be used to come to work late or leave work early. If a break is not taken for any particular day, that time is lost to

City of Alpine Personnel Policies and Guidelines

the employee and cannot be accumulated.

6. Violation of this Personnel Policy, theft, insubordination, bearing of falsehoods, conduct unbecoming a City employee, knowledge of violation by another employee without reporting the same, drinking during working hours, use of narcotics without prescription and violation of City Ordinances are just reasons for immediate dismissal. Not carrying out designated assignments, violation of approved City contracts, failure to carry out instructions or orders by person in charge, fighting, spreading of continuing malicious rumors, not grading high enough on evaluation form, prejudice action against ethnic groups, untidy personal appearance, or repeated arguments with other employees or citizens are also just reasons for immediate dismissal.
7. All employees must be current on their City Utility bills or have requested budget billing.

F. MISUSE OF CITY PROPERTY ELECTRONIC EQUIPMENT

City of Alpine respects the privacy of its employees. However, a City of Alpine employee may not expect such privacy rights to extend to the use of the City owned systems, property, equipment or supplies or to work related conduct. This policy is intended to notify all City of Alpine employees that no reasonable expectation of privacy exists in connection with your use of City of Alpine's systems, property, equipment or supplies. City of Alpine employees are prohibited from withholding information maintained within company supplied containers, including but not limited to, computer files, computer databases, desks, lockers and cabinets. The following rules also apply to the use of the City of Alpine property:

1. Right to access information. While the City of Alpine employees have individual passwords to email, voicemail, and computer network systems,

City of Alpine Personnel Policies and Guidelines

these systems are at all times accessible to and by the City of Alpine and may be subject to unannounced, periodic inspections. This policy applies to all telephone, electronic, and computer network systems. Use of such equipment in an illegal or unbecoming manner is prohibited. The City of Alpine will issue passwords for such equipment. Employees may not use secret passwords or modify assigned passwords in any way. These records, as well as the usage records of City computer network systems, may be reviewed for legal business or other reasons.

2. Restricted for City business. City of Alpine's employees are expected to see company email, voice mail, and computer networks in systems only for conducting City business, not for personal reasons. Personal reasons include, but are not limited to, non- job-related communications, research or solicitations of a personal origin, soliciting political or religious information, or commercial ventures.
3. Prohibited content. Employees are prohibited from using City telephone, electronic or computer network systems in any manner that may be offensive or disruptive to others. This includes, but is not limited to, the transmission of ethnic or racial slurs, gender-specific comments, sexually explicit images or messages, any remarks that would offend someone on their basis of their age, political or religious beliefs, disability, national origin or sexual orientation, or any messages that may be interpreted to discharge or harass others. No telephone, electronic or computer network communications may be sent which represents the sender as from another company or as someone else, or which try to hide the sender's identity.

Inappropriate or personal use of City property or telephone, electronic or computer network systems will result in disciplinary action, up to and including termination.

City of Alpine

Personnel Policies and Guidelines

All telephone and electronic communications systems and all information received from, transmitted by or stored in these systems are and will remain the City of Alpine's property. These systems are to be used only for job related purposes, not for personal purposes. Employees have no personal privacy right and or expectation of privacy in connection with the use of this equipment or with the receipt, transmission, or of information in the City equipment.

Employees must agree not to access a file, use a code, or retrieve any stored communication unless authorized to do so. Disclosure of message or information from telephone or electronic communications shall be by authorized individuals only. The City of Alpine's monitoring may include printing out and reading all telephone and electronic mail leaving, entering, or stored in these systems. The City policy prohibits the use of telephone and electronic communications systems to transit offensive, lewd, racist or sexist messages.

G. ELECTRONIC POLICY

1. Purpose of this policy

The purpose of this policy is to establish guidelines for the operation of the City's computer system, including both integrated and non-integrated components, and to provide direction as to the appropriate usage of electronic mail (e-mail) and the Internet provided by the City of Alpine, Texas. This policy is intended to protect the property of the City of Alpine, Texas and to facilitate an efficient working environment.

This policy applies to all personnel utilizing City equipment, software and technology.

City of Alpine

Personnel Policies and Guidelines

2. Use of the internet and email

Only those employees who have been specifically authorized in writing by proper authority to use the closed network Internet for City of Alpine, Texas business shall be allowed to access the Internet, and the sites that are accessed by those who are authorized shall be limited to those sites that relate to the necessary business of the City of Alpine.

The closed network Internet and email system hardware is to be exclusively used for the purpose of conducting the business of the City of Alpine, Texas.

Therefore, all electronic messages completed, sent, or received on the Internet and email system are, and remain, the sole property of the City of Alpine, Texas.

3. Monitoring

The City reserves the right to access and disclose all messages created, sent, and received through its electronic mail system. All electronic messages are retrievable and may be inspected by the City Manager or any other City staff member designated by the City Manager.

The City reserves the right to utilize Internet Surveillance Programs which traces users' steps and monitors employee use of the email system or the Internet. Employees should not consider their Internet usage or email communications to be private.

4. Permitted uses of the internet

- a) The following are given as examples of permitted uses of the Internet:
- b) Research/Education related to City-related business, communication with professional associations and other governmental entities,

City of Alpine

Personnel Policies and Guidelines

universities.

- c) Filing of reports relating to various areas of City operations that are required or permitted by state and federal agencies.
- d) Distribution of information to the general public under City guidelines and policies for the release of information pursuant to the Texas Public Information Act and other applicable laws.
- e) Communication among City employees and professional colleagues, which facilitates work assignments and professional discussion in a work-related field of knowledge.
- f) Purchasing, communication with vendors and supplies, and receiving quotes, and obtaining specifications for equipment/material.
- g) Registration for conferences, schools and seminars.
- h) Making arrangements (airline, hotel, etc.) for travel on City business.
- i) Obtaining weather reports.
- j) Researching/obtaining news reports from newspapers, publications and other media sources.
- k) Receipt of newsletters, bulletins, reports, etc. from professional organizations.
- l) Announcements of personnel vacancies.
- m) Any other use that is related to the City's business that is not prohibited by copyright or any other provision of this policy, or any other City policy or state or federal law.

5. Prohibited uses of internet and email

- a) Use of the internet or email system for personal or commercial ventures, religious or political causes, outside organization, or other non-job-related matters.
- b) Use of the system to create any offensive or disruptive messages.

City of Alpine Personnel Policies and Guidelines

Among those are messages that are unlawful, defamatory, libelous, pornographic, profane, threatening, obscene, harassing, offensive or unprofessional, or that are disrespectful of others, or those that contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, race, physical attributes, religious or political beliefs, national origin disability.

- c) Accessing any site that is sexually or racially offensive or discriminatory, displaying or downloading, or distributing any sexually explicit material, or violation of the City's confidentiality policy.
- d) Buying, ordering or bidding on any item that is not properly authorized by proper authority for purchase by the City.

6. Employees Responsibilities

- a) Playing games on the City of Alpine, Texas computers is prohibited.
- b) Gaining, or attempting to gain, unauthorized access to the City's proprietary network or computer system or any other proprietary network or computer system.
- c) Any attempt to obstruct other employee's work by consuming gratuitously large amounts of system resources or by deliberately crashing any City computer system.
- d) Any attempt to damage computer equipment or software.
- e) Any attempt to alter software configurations.
- f) Any attempt to cause degradation of system performance.
- g) Any use of any City workstation for illegal or criminal purposes.
- h) Any violation of copyright laws of software licensing agreements.
- i) Downloading or installation of any unauthorized software.
- j) Participation in chat rooms.

City of Alpine

Personnel Policies and Guidelines

- k) Sending or receiving anonymous email, encrypted messages, or chain letters
- l) Messages shall not be transmitted using another person's name or under an assumed name.
- m) Unless specifically authorized to do so by proper authority, employees may not retrieve or read any Internet or email messages for which they are not the intended and appropriate recipient.

7. Software Security

All software contained on CD's or disks that are provided with computers and related equipment that is purchased by the City, or those that are directly purchased by the City, are to be kept in a secure location by the appropriate department, and are not to be used or loaned in any manner that is not consistent with the copyright provisions that apply.

8. Passwords

Personal passwords are not an assurance of confidentiality, and the internet itself is not secure. The confidentiality of any message should not be assured. Even when a message is erased, it is still possible to retrieve and read the message.

Passwords do not belong to the user, as they are the property of the City of Alpine, Texas and are utilized to protect against non-authorized persons accessing the network system. Employees must disclose all passwords to the designated authority within the City of Alpine, Texas or they are invalid and cannot be used. Exception: Federal websites require users to secure passwords and do not distribute. Passwords are specific to the user.

City of Alpine

Personnel Policies and Guidelines

If a user needs to access a different computer than the one that is usually used, the user shall log in using his/her own password.

Users shall not share their password with anyone else other than upon the direction of the City Manager or other City staff member designated by the City Manager.

Users shall not allow other persons to perform any activity with their password. Users are responsible for all activity performed with their password regardless of how it was obtained.

9. Public Information Requests

All requests for information contained on City computer hard drives or discs that emanate from sources external to the City shall be handled pursuant to the State of Texas Public Information Act as defined in the City's Policy for the release of public information.

10. Copyright Restrictions

The unauthorized reproduction or distribution of copyrighted materials, except as permitted by the principles of "fair use", is prohibited by U.S. copyright law (Title 17, U.S. Code). Any software or other material downloaded (received) or uploaded (sent) by the City of Alpine, Texas computers may be used only with the explicit permission of the copyright holder. Prior written authorization from the appropriate department head is required before introducing any software into the City of Alpine, Texas computer system.

Employees may not download entertainment software, games or any other software unrelated to their work. Any responsibility for any consequences of

City of Alpine

Personnel Policies and Guidelines

copyright infringement lies with the user. The City expressly disclaims any liability or responsibility arising from access to or use of information obtained through its electronic information systems, or any consequences thereof.

Unlawful activities will be dealt with in a serious and appropriate manner, and the user may be subject to prosecution by local, state or federal officials. Additionally, disciplinary action, up to and including termination, could be applied.

11. No City Representation

Only authorized employees may communicate on the internet on behalf of the City of Alpine, Texas. Employees may not express opinions or personal views that could be construed as being those of the City of Alpine, Texas. They may not give their name and their employment for the City of Alpine on their personal social media. Employees may not state their City affiliation on the Internet unless required as part of their assigned duties.

12. Equipment Maintenance / Protection

Computers are to be cleaned only with compressed air or a moist, lint free rag. Water or cleaning fluid is not to be used on the keyboard, monitor or printer.

Should any computer equipment get wet, the machine is to be turned off and disconnected from the power source. The equipment is not to be turned on again until it has been confirmed that the equipment is moisture free

In the event of a power outage, the computer and printer are to be disconnected from the power source, and are not to be reconnected until the power source returns to normal.

City of Alpine

Personnel Policies and Guidelines

All computer equipment is to be plugged into an approved surge protector, and never is to be connected directly to the power source.

Repairs and/or modification to equipment are to be performed only by qualified technicians designated by the appropriate City authority.

13. Virus Protection

All City of Alpine, Texas computers are to be equipped with up-to-date virus protection software, and all external software that is introduced into City computers is to be checked for viruses before use in the system. All City of Alpine employees will have to take a Cybersecurity training once a year.

Users shall leave the virus detection software enabled at all times. Anti-virus software is to be kept current by ensuring that updated revisions are downloaded at such intervals as are recommended by the vendor.

It should be noted that the virus detection software will detect viruses, but will not automatically eliminate them. Therefore, the user must follow the prompts from the virus protection software.

Emails that do not clearly identify the sender are not to be opened. Emails from senders that you do not recognize are not to be opened.

14. Use of Screensaver / Backgrounds

No screen savers or background are to be used on any City of Alpine, Texas computer that is deemed to be offensive or inappropriate by the responsible department head.

City of Alpine

Personnel Policies and Guidelines

15. Violation of this Policy

Any violation of this policy or use of the Internet or email for improper purposes shall subject the employee to loss of computer access and/or disciplinary action, including immediate termination.

EXIT FROM INTERNET

1. Employee Separation

Upon separation from the City's employment, the former employee's access to the City's computer System and all of its components shall be immediately revoked.

2. Execution of Forms

Exhibit "A" Employee Agreement Form. This form confirms that the user employee will read, understand, and comply with all of the provisions of this policy. All employees whose job duties require or allow use of the City's technology shall be required to sign this form after they have read the policy.

H. OTHER CITY PROPERTIES

1. Vehicular Equipment

This policy is intended to notify all City of Alpine employees that no reasonable expectations of privacy exists in connection with your use of City of Alpine's vehicular equipment. City of Alpine employees are prohibited from engaging any City vehicle or other vehicular equipment for personal use. Many employees will be issued a City vehicle in the completion of specific job duties; however, the vehicle is not to be used for personal business or pleasure. City employees will be allowed to take a vehicle home with them - The vehicle is to be used only when responding to City business. Unauthorized persons may only ride in City Vehicles in the line of employment. No family members are permitted to ride in City Vehicles, unless it is specifically stated in

City of Alpine Personnel Policies and Guidelines

your contract.

2. Tools and Minor Apparatus

This policy is intended to notify all City of Alpine employees that no reasonable expectation of privacy exists in connection with your use of City of Alpine's tools or minor apparatuses. City of Alpine employees are prohibited from engaging any City tools or minor apparatuses for personal use. Many employees will be issued a City vehicle that will contain tools or minor apparatuses to assist in the completion of specific job duties, however, the tools are not to be used for personal business or pleasure. The tools or minor apparatuses are to be used only when responding to City business. City Vehicles shall not be used and employee uniform clothing with the City of Alpine Seal shall not be worn if the City employee is working on a personal job, not for the City of Alpine.

I. POLITICAL ACTIVITY RESTRICTED

City employees are prohibited (during normal business hours) from taking any active part in political management or political involvement in municipal campaigns, other than to vote and express their opinions privately. It is unlawful for City employees to solicit or receive any political contributions. This restriction actually protects you, as a City employee, from political interference in your job and possible repercussions taken against you. If taking part in a political campaign, employees shall not be in a city uniform.

J. MAINTENANCE OF PERSONAL DRIVING RECORD

City employees and all volunteers authorized to operate City vehicular equipment will be expected to maintain a good driving record.

City of Alpine

Personnel Policies and Guidelines

Any employee or volunteer who no longer possesses a valid Driver's License as issued by the State of Texas will be prohibited in engaging in any and all work assignments involving the operations of City vehicular equipment.

The City will accept an Occupational Driver's License for the purpose of performing work related tasks. Failure to notify supervisors or the City Manager of any Change concerning the validity of the Driver's License will result in disciplinary action, up to and including discharge.

K. CELL PHONE POLICY

1. City of Alpine Cell Phone

The City of Alpine issues or pays for individual mobile phones for company employees who are required to be in close contact with the company at all times. We require that our employees follow the guidelines listed below:

- City-issued cell phones must remain charged and the user must remain available to receive phone calls during regular working hours.
- Individuals who are "on call" must be available to accept and make necessary calls 24/7 as is the policy.
- City-issued phones are for business use ONLY; any and all text and telephone conversations must be business related. Unless otherwise indicated, personal use of the City-issued cell phone is strictly prohibited and subject to disciplinary action as outlined.
- Employees may not use the City-issued phones for downloading data (other than attachments sent and received for business use) and/or ringtones.
- Cell phones are to remain in the "off" or "silent" position during

City of Alpine Personnel Policies and Guidelines

meetings or during discussions with citizens and or customers.

- Do not answer your phone or text during business conversations.
- The cost to replace or repair a City cell phone (including an insurance deductible if applicable) for any reason except for normal use, as determined by senior management, will be the responsibility of the employee if the damage or loss occurs within 2 calendar years of receiving a different or new device.
- City of Alpine employees are prohibited from talking on cell phones while operating a motor vehicle unless the employees uses a hands-free device. For the safety of our employees and others it is imperative that you pull over and stop at a safe location to dial, receive or converse on the cell phone in any way.
- Employees are prohibited from texting while driving.
- Employees shall not use cell phones while operating equipment.
- Employees in possession of City equipment are expected to protect the equipment from loss, damage, or theft. On resignation or termination of employment or at any time of request the employee may be asked to produce the phone for return or inspection. Failure to produce the phone may result in further disciplinary action.
- Personal cell phones or devices used for city business are subject to Public Information requests.

Mobile phone bills are reviewed when they arrive; any employee who exceeds their contracted allowed minutes or is found to have used the City-issued cell phone for personal use may be responsible for reimbursing the City for related expenses.

1. The reimbursement, if applicable, will be in the form of a personal