



Employee **HANDBOOK**



2021

City of Joshua, TX

Employee Personnel Handbook



Dear Team Members:

Welcome to the City of Joshua! This handbook will serve as a starting point to answer many employment and conduct-related questions. Don't hesitate to go to your Department Supervisor or the Human Resources Manager if you have additional questions.

The Employee Personnel Handbook is designed to summarize general personnel policy and employee benefits information for all City of Joshua employees and is for information purposes only and is to provide a consistent guide to administrative actions, including personnel actions relating to the terms and conditions of your employment. It is not intended to give specific guidelines for every conceivable personnel action, but rather help assure that you are treated in a consistent manner.

Nothing contained in this Manual or in any other policy or procedure issued by the City of Joshua shall be construed to create a contractual employment relationship or property interest. The City of Joshua is an at-will employer. The policies and procedures listed herein may be amended at any time within the guidelines as described in the handbook.

The Human Resources Department, 101 S. Main, maintains and makes available to employees current copies of all official benefit brochures, booklets, and plan documents. Please refer to those official source documents to obtain the most accurate and comprehensive explanations of the benefits available. Each City department maintains a copy of the City of Joshua Personnel Manual, which you may review at any time. In addition, the Personnel Manual is accessible to all employees in electronic form on the City's computer network.

Should the state, federal, or local law or conflict with this Manual, the conflicting law shall control. Any new rules, regulations, or policies issued will supersede current rules, regulations, and policies and are binding on all employees.

If you have a city-issued email address, be sure to check it regularly for communications from Human Resources about benefits, policies, upcoming events, and other important notices. We look forward to working with you to maximize your employment with the City of Joshua!

Updated and Adopted October 21, 2021



EMPLOYEE ACKNOWLEDGMENT FORM

The Employee Personnel Manual describes important information about the City of Joshua, and I understand that I should consult the Human Resources Department regarding any questions not answered in this guide. I have voluntarily entered into an employment relationship with the City of Joshua and acknowledge that there is no specified length of employment. Accordingly, either I and/or the City of Joshua can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to this guide may occur, except to the City's policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.

Furthermore, I acknowledge that this guide is neither a contract of employment nor a legal document. I have received the guide, and I understand that it is my responsibility to read and comply with the policies contained in this guide and any revisions made to it. I also understand that it is my responsibility to keep this guide updated with future official notices relative to revised information, and shall return this guide to the personnel department upon the termination of my employment with the City of Joshua.

Employee's Signature

Date

Employee's Name (Typed or Printed)

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City of Joshua, TX

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City of Joshua Personnel Policies and Procedures

Section 1: Authority and Administration

1.1 ADMINISTRATION

Origination December 20, 2018

Revised

The purpose of the City of Joshua Policies and Procedures Manual is to provide a consistent guide to administrative actions, including personnel actions relating to the terms and conditions of your employment. It is not intended to give specific guidelines for every conceivable personnel action, but rather help assure that you are treated in a consistent manner.

A. GENERAL INFORMATION: ADMINISTRATION

The City Manager may make revisions to this policy which do not involve a change in benefits offered or changes that would require an amendment to the city's current "Annual Operating Budget." The city council must approve all changes involving employee benefits and/or budget amendments. Any new rules or regulations issued supersede these regulations and are fully binding on all employees. Any new rules, regulations, or policies issued will supersede current rules, regulations, and policies and are binding on all employees.

City of Joshua Personnel Policies and Procedures

Section 1: Authority and Administration

1.2 PERSONNEL FILES

Origination December 20, 2018
Revised

The City of Joshua will request, use and retain only that personal information about employees that is required for business or legal reasons. The confidentiality of all personal information in City records and files will be protected, preserved, and maintained for all City employees to the extent possible under the Texas Public Information Act and in compliance with other State and Federal laws.

City of Joshua Personnel Policies and Procedures

Section 1: Authority and Administration

1.3 TOBACCO-FREE WORKPLACE POLICY

Origination December 20, 2018
Revised

According to the U.S. Government’s Centers for Disease Control and Prevention, tobacco use leads to disease and is the leading preventable cause of death. Smoking tobacco products produce “secondhand smoke”, which credible studies have linked to disease in persons who are not smokers themselves. For these reasons, the use of any tobacco products by any employees is strongly discouraged at all times out of concern for (a) the health of employees, their loved ones, and their fellow citizens and (b) the negative impact of tobacco usage by employees on the city’s health insurance costs. Employees who would like assistance in quitting tobacco are encouraged to contact their physician or Human Resources.

A. PROHIBITIONS

In an effort to preserve the health of non-smokers, protect private and public property and the public’s investment in buildings and equipment owned by the city, employees are prohibited from smoking (or possessing a burning tobacco product), using smokeless tobacco product (“dipping”) or using an electronic tobacco-free device, e.g. “e-cigs”, “vaping”, “juuls”, etc.:

1. Inside a building owned, operated, leased, or managed by the city or within 25 feet of an entrance to or exit from the said building(s).
2. Inside or on a vehicle owned or leased by the city;
3. At any location, while on duty in which smoking (or possessing a burning tobacco product) using smokeless tobacco product (“dipping”) or using an electronic tobacco-free device, e.g. “e-cigs”, “vaping”, “juuls”, etc.;
- i. causes, or could cause, injury to any person or damage to property, or
 - ii. exposes a person of ordinary sensibilities to secondhand smoke.

B. PERMISSIBLE USAGE

Employees who use tobacco during working hours must do so:

1. During their lunch break or at other such times as their departmental Director may allow, provided said usage is in compliance with this section, and

2. In a responsible manner, complying with all applicable ordinances and laws, and with respect for the environment as well as the health, safety, and welfare of fellow employees and the public.

City of Joshua Personnel Policies and Procedures

Section 2: Federal and State Employment Laws and Regulations

2.1 EQUAL OPPORTUNITY EMPLOYMENT

Origination December 20, 2018
Revised

It is the policy of the City of Joshua to employ, train, compensate, and make available all conditions of employment without consideration of any individual's race, sex, national origin, color, age, religion, disability, genetic information, veterans status, or any other non-job related factor. Personnel decisions will be made only on the basis of experience and ability to perform a specific job.

City of Joshua Personnel Policies and Procedures

Section 2: Federal and State Employment Laws and Regulations

2.2 AMERICANS WITH DISABILITIES ACT OF 1990

Origination December 20, 2018

Revised

In compliance with the Americans with Disabilities Act of 1990, the City of Joshua shall not discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, hiring, training, and other terms, conditions, and privileges of employment.

A. EXAMINATION

The Department Head may require a medical examination after a conditional offer of employment has been made to a job applicant and prior to the commencement of the employment duties of such applicant, and may condition an offer of employment on the result of such examination if :

1. All employees entering the job category are subjected to such an examination regardless of disability; and
2. Information obtained regarding the medical condition or history of the applicant is collected and maintained on separate forms and in separate medical files and is treated as a confidential medical record, except that:
 - i. supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;
 - ii. first aid and safety administration may be informed, when appropriate, if the disability might require emergency treatment; and,
 - iii. government officials investigating the City's compliance with the law shall be provided relevant information on request; and
 - iv. the results of such examination are used only in accordance with the law.

B. REASONABLE ACCOMMODATIONS

The Americans with Disabilities Act requires an employer to provide reasonable accommodations for individuals with disabilities unless the provision of the accommodation would cause undue hardship for the City. A reasonable accommodation is any change in the work environment or in the way a job is performed that enables a person with a disability to enjoy equal employment opportunities.

1. If an accommodation is required, the employee must inform his supervisor that there is a need for an adjustment or change at work for a reason related to a medical condition or disability.
2. Supervisors will respond promptly and to the best of their ability to accommodate the needs of all employees.
3. If an employee believes he is being treated unfairly because of a disability, or that a request for a reasonable accommodation has not been properly responded to, the employee should contact Human Resources.

City of Joshua Personnel Policies and Procedures

Section 2: Federal and State Employment Laws and Regulations

2.3 HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY (HIPAA)

Origination December 20, 2018
Revised

The City of Joshua will comply with federal regulation governing the Health Insurance Portability and Accountability Act (“HIPAA”) of 1996. The Act ensures the privacy of all protected health information (“PHI”) and that such information is kept confidential and not be released to any party without the consent of the employee, or citizen if applicable, except there otherwise outlined by law.

City of Joshua Personnel Policies and Procedures

Section 2: Federal and State Employment Laws and Regulations

2.4 FAMILY AND MEDICAL LEAVE ACT (FMLA)

Origination December 20, 2018

Revised October 21, 2021

This policy establishes the provision of unpaid time away from work for medical and family reasons in accordance with the guidelines set forth in the Family and Medical Leave Act of 1993 (FMLA).

A. EMPLOYEE ELIGIBILITY

To be eligible for FMLA leave, an employee must have worked for the City:

1. For at least twelve (12) months (the 12-month period may include time previously worked for the City of Joshua so long as the time worked was no more than seven (7) years ago)
2. For at least one thousand two hundred fifty (1,250) hours during the twelve (12) months preceding the start of the leave. The 1,250 hours do not include time spent on paid or unpaid leave. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

B. LEAVE ENTITLEMENT

Eligible employees may take FMLA leave for one or more of the following reasons:

1. For the birth or placement of a child for adoption or foster care; must be taken within one (1) year of birth or placement of the child.

Intermittent leave may be allowed if it meets the criteria listed below:

2. To care for a spouse, child, or parent with a serious health condition.
3. When the employee is unable to perform the functions of his/her position because of his/her own serious health condition.
4. Because of a qualifying exigency based upon USERRA Laws, due to a family member leaving for military deployment out of the country.

5. Qualifying exigency leave to care for covered military personnel injured in the line of duty and requiring care from designated next of kin. Next of kin means the nearest blood relative designated as such by the covered servicemember.

The qualifying exigency must be one of the following:

- a. short-notice deployment
- b. military events and activities
- c. childcare and school activities
- d. financial and legal arrangements
- e. counseling
- f. rest and recuperation
- g. post-deployment activities, and
- h. additional activities that arise out of active duty, provided that the employer and employee agree, including the agreement on the timing and duration of the leave.

C. DEFINITIONS

Child. A biological, adopted, foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis (in place of a parent). The child must be under eighteen (18) years of age, or eighteen (18) or older and incapable of self-care because of a mental or physical disability.

Parent. The biological, adoptive, step or foster parent, or any individual who stood in loco parentis to an employee when the employee was a child; this does not include a parent-in-law.

Serious Health Condition. An illness, injury, impairment, or physical or mental condition that involves:

1. Any period of incapacity or treatment in connection with or consequent to inpatient care in a hospital, hospice, or a residential medical care facility;
2. Any period of incapacity requiring absence from work, school, or other daily activities, of more than three (3) calendar days, or two (2) or more shifts for Fire suppression employees, that also involves continuing treatment by a healthcare provider;
3. Two or more in-person visits to a healthcare provider for treatment within thirty (30) days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven (7) days of the first day of incapacity;

4. At least one in-person visit to a health care provider for treatment within seven (7) days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the healthcare provider. For example, the health provider might prescribe a course of prescription medication or therapy requiring special equipment; or
5. Prenatal care.

D. EMPLOYEE'S NOTICE REQUIREMENTS

In order for the City to accommodate an employee's workload during their absence, an employee seeking to take FMLA leave must provide both their Department Head and Human Resources Department with at least thirty (30) days advance notice when the leave is foreseeable. If the leave is not foreseeable, an employee is expected to provide both their Department Head and the Human Resources Department with as much advance notice as possible, following the City's and their department's usual and customary call-in procedures for reporting unscheduled absences. In the event of medical leave for planned medical treatment for the employee or the employee's spouse, child, or parent, the employee is required to make a reasonable effort to schedule the treatment so as not to disrupt unduly the City's operations. An employee shall keep the Human Resources Department informed about their condition or status and provide an anticipated return date supported by pertinent documentation. If the employee does not provide the employer with enough information to know that the leave may be covered by the FMLA, the leave may not be protected.

All supervisors must immediately notify both their Department Head and the Human Resources Department if they have reason to believe an employee's absence is due to an FMLA-covered reason. (Note: Under FMLA, an employee requesting paid or unpaid leave for an absence covered by the FMLA is not required to expressly mention FMLA. If the employee states a reason that qualifies for FMLA leave, the employee will likely have met the FMLA's notice requirements.)

E. MEDICAL CERTIFICATION AND OTHER REQUIRED DOCUMENTATION

1. The City of Joshua has up to five (5) days to request a certification. An employee must provide the Human Resources Department with a medical certification from their healthcare provider within fifteen (15) days of the request for leave, supporting the need for FMLA leave due to a serious health condition affecting the employee or the employee's spouse, child or parent. The certification must set forth the beginning and expected ending date(s) of the leave. In the case of intermittent leave, the certification must also provide the dates and duration of the treatments necessitating the intermittent

leave.

2. The employee is responsible for both the cost of getting the certification from a health care provider and for making sure that the certification is provided to the Human Resources Department within fifteen (15) days.
3. An employee must also provide periodic reports during FMLA leave as to their status, and intent to return to work and may be required to submit a "fitness-for-duty" certification detailing any restrictions before the employee can return to work. The Department Head is responsible for determining if those restrictions can be accommodated. If the release does indicate restrictions, further releases are required until all restrictions are removed. The employee must check in with their supervisor or Human Resources at least once every two weeks while on restrictions. If the employee discovers that the amount of leave originally anticipated is no longer necessary, the employee must provide the City with reasonable notice (two (2) business days) of the changed circumstances if foreseeable. In some cases, the City may require a second or third medical opinion (at the City's expense) and periodic recertification of the serious health condition. If an employee fails to provide any required certification within fifteen (15) days, from the request, the City may deny leave until the certification is provided. If an employee elects to take FMLA in order to care for a family member, the employee may be required to provide reasonable documentation confirming a family relationship and/or their medical needs.
4. Certification cannot be requested for leave to bond with a newborn or a child placed for adoption or foster care. However, you may be required to submit documentation or a statement of family relationship to the individual for whom the employee will be caring. This documentation may take the form of a child's birth certificate, a court document, or a simple statement. Any official documents submitted for this purpose will be returned to the employee.
5. The City may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every thirty (30) days unless circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his other leave. Otherwise, the company may request recertification for the serious health condition of the employee or the employee's family member every six (6) months in connection with an FMLA absence. The City may provide the employee's health care provider with the employee's attendance records and ask whether the need for leave is consistent with the employee's serious health condition.

F. LEAVE TIME

Employees are eligible for Family and Medical Leave for an aggregate total of up to twelve (12) workweeks in a twelve (12) month period. To determine eligibility for leave, the City uses a rolling 12-month period measured backward from the date of any FMLA last taken. When calculating family leave balances within any twelve (12) month rolling period, only leave expressly authorized as family/medical leave shall be deducted from the twelve (12) weeks of leave entitlement to determine the applicable family/medical leave balance. Routine vacation, sick, or other similar paid leave taken during such twelve (12) month period shall not be deducted from the family/medical leave balance. Vacation, sick, or other similar paid leave which is expressly taken in connection with family/medical leave shall be deducted from the family/medical leave balance.

1. Intermittent Leave. An eligible employee may take FMLA on an intermittent or reduced schedule basis only if deemed “medically necessary,” or otherwise approved by their Department Head. For the birth, adoption, or foster care of a child, the city and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Leave for birth, adoption, or foster care of a child must be taken within one year of the birth or placement of the child.

When intermittent leave is needed, the employee must try to schedule the leave so as not to unduly disrupt the Department's or City's operations. The City may temporarily transfer the employee to an alternative position (with equivalent pay and benefits) in order to better accommodate an employee's intermittent or reduced leave schedule.

2. All allowable paid leave MUST be depleted prior to taking the requested leave as unpaid leave for any of the aforementioned circumstances. Sick time must be depleted first, then vacation, and holiday before any other available banks are accessed before an employee may go on unpaid status.
3. While out on FMLA, an employee will only accrue leave if they are eligible for pay based on the minimum monthly standard (half the month). Part-time employees must have worked or been paid for 40 hours, full-time (2080) employees must have worked or been paid for 80 hours and fire suppression employees (2912) must have worked or been paid for 112 hours in that month.
4. Paid leave is defined as having enough accrued time available to receive compensation. Unpaid leave is defined as no time is available and no compensation is received. Holidays will be paid in accordance with the Holiday policy. Employees on paid FMLA leave will be paid for the holiday. Employees on unpaid leave are not eligible for

holiday pay.

5. FMLA time runs concurrently with all paid leave and with Worker's Compensation.
6. The birth of a healthy child where the spouse is also healthy allows the employee's father or employee adoptive parent to use up to ten (10) days of sick leave. For a 2080-hour employee, this will be ten (10) eight (8) hour days for a total of eighty (80) hours. For a fire suppression employee (2920), this will be ten (10) twelve (12) hour days for a total of one hundred twenty (120) hours. The rest of the time used by the employee's father or employee adoptive parent must be accrued vacation, or holiday pay. If a serious health condition of the spouse or the baby is involved, accrued sick leave may be used by the employee's father or adoptive parents with proper documentation.
7. If both spouses are employed by the City of Joshua, the combined leave shall not exceed 480 hours (12 workweeks) or 1040 hours (26 workweeks), as applicable.
8. The least amount of time that can be used for the calculation of leave is fifteen (15) minute increments.
9. When a holiday falls during a week in which an employee is taking the full week of FMLA, the entire week is counted as FMLA leave. However, when a holiday falls during a week when an employee is taking less than the full week of FMLA leave, the holiday is not counted as FMLA leave, unless the employee was scheduled and expected to work on the holiday and used FMLA leave for that day.
10. Light Duty. Time spent on light duty does not count against the employee's FMLA time.
11. An employee who is released for and offered light duty by the City, who elects not to accept such an assignment, will be ineligible for paid sick leave benefits, salary continuation under worker's compensation, any other leave benefit, or long-term disability but may still be entitled to unpaid leave under the City's Family Medical Leave Act Policy.
12. Caregiver Leave. Under the National Defense Authorization Act (NDAA), an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember who is recovering from a serious illness or injury sustained in the line of duty is entitled to up to twenty-six (26) workweeks of leave in a single twelve (12) month period to care for the service member.

Under the NDAA, eligible employees are entitled to up to twelve (12) workweeks of leave because of any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on active military duty or has been notified of an impending call to active duty status, in support of a contingency operation.

G. BENEFITS

1. **Insurance.** During any period of FMLA, the City will continue to pay its portion, if any, of any group health insurance coverage for the employee on the same terms as if the employee had continued to work. If an employee works more than fifteen (15) days in a month, longevity and certification pay will be paid for that month. Where applicable, the employee must pay their share of health insurance premiums while on FMLA leave by no later than the following Monday of the regularly scheduled pay date. The City may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA unless the employee is unable to return due to a serious health condition or something beyond the employee's control. Medical certification is required under such circumstances.

The employee's use of FMLA will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave, nor will seniority be affected. However, benefit accruals, such as vacation, holiday, and sick leave, will be suspended during any unpaid leave.

2. **TMRS.** If an employee is on unpaid leave, they may not contribute to TMRS. However, if an employee is receiving worker's compensation, the employee may arrange to have those months of leave be covered and have contributions made to the system. Contributions to TMRS may be made on a voluntary basis through a special arrangement with the City while an employee is on a leave without pay status. The city will match the employee's contribution, at the current rate, only if the employee chooses to contribute while on worker's compensation. It is the employee's responsibility to initiate such an arrangement by timely contacting Human Resources and completing the necessary paperwork.
3. Upon return from FMLA, an employee will be restored to their original job or an equivalent job with equivalent pay, benefits, and other terms and conditions. Ordinarily, an employee will be restored to the same position the employee held prior to FMLA with the same pay and benefits, assuming the position remains available. However, there is no guarantee an employee will return to the same position.

H. OTHER PROVISIONS

1. Under no circumstances may an employee on FMLA, sick leave, disability leave, or Workers' Compensation leave engage in outside employment unless expressly authorized in writing in advance by the Department Head and the City Manager. A copy of the written approval must be sent to the Human Resources Department.
2. The FMLA does not affect any federal or state law prohibiting discrimination. This policy is intended to explain benefits available to eligible employees under the FMLA.

It is not intended to create any rights to leave beyond those created by FMLA. If additional information is needed on FMLA, please contact the Human Resources Department. When an employee gives notice of the need for FMLA leave, the employee will be given additional information as to his or her rights and responsibilities under the FMLA and the City's policies to which they must adhere.

I. SEPARATION

A regular employee who continues to be unable to perform the essential functions of the job for which they were hired may be terminated after all Family and Medical Leave is exhausted and/or after six (6) months of incapacity, if it is shown that:

1. The employee is unable to return to their position and perform the essential functions of the job, with or without reasonable accommodation.
2. The employee is unable to transfer to another position within the City and perform the essential functions of the job with or without reasonable accommodation.

The six (6) month period shall be measured cumulatively and consecutively during a twelve (12) month period measured backward from the date of any FMLA Leave last taken.

J. FRAUDULENT CLAIMS

An employee who fraudulently claims family/medical leave is not protected by the FMLA's job restoration or maintenance of health benefits provisions and may be subject to disciplinary action, up to and including termination.

City of Joshua Personnel Policies and Procedures

Section 3: Recruitment and Employment

3.1 EMPLOYMENT STATUS AND EXPECTATION OF CONTINUED EMPLOYMENT

Origination December 20, 2018
Revised

Employees are hired in either full-time, part-time, or seasonal positions. Regular Full-time positions generally have scheduled workweeks of at least 40 hours per week. Part-time employees are generally scheduled for less than an average of 30 hours per week. Seasonal positions are anticipated to be of limited duration. Regular full-time employees receive complete benefits as offered by the City of Joshua.

All full-time, part-time, and seasonal employees are employed at the discretion and will of the City of Joshua. Wages, benefits, and conditions of employment may be changed at any time. No supervisor or Department Head has the authority to enter into any agreement with an employee that in any way alters the at-will relationship unless or until such agreement is reduced to writing, authorized by the City Council, and executed by the City Manager.

The City of Joshua is an at-will employer. Although this manual provides guidance on disciplinary actions and contains a limited process for appealing adverse employment decisions, these guidelines and processes are advisory only. Any employee may be discharged or terminated for any or no reason at any time, notwithstanding the existence of guidelines or appeal processes. There is no “cause” or “just-cause” standard applicable to disciplinary actions or termination of employment decisions. The acceptance or continuation of employment with the City shall be deemed an acknowledgment and acceptance of this basic condition of employment.

City of Joshua Personnel Policies and Procedures

Section 3: Recruitment and Employment

3.2 NEPOTISM AND NON-FRATERNIZATION

Origination December 20, 2018
Revised

No officer of the City shall appoint to any office or position a person related to such officer in violation of the state nepotism laws as they now exist or may be amended.

A. MAYOR, CITY COUNCIL AND APPOINTED OFFICERS

No person related by blood or marriage to the Mayor, to any member of the City Council, or to any elected or appointed officer of the City shall be appointed to any office, position, or other service of the City including Part-time and Seasonal positions. (See city charter, Sec. 11.06)

B. RESTRICTED EMPLOYMENT OF RELATIVES

Relatives of City employees may be hired to full, part-time, or seasonal positions, but not within the same department as the other relative.

C. DEGREE OF RELATIONSHIP(S)

The extent of the blood relationship is a third-degree in all cases set out above, and the extent of the marriage relationship is second-degree in all cases set out above.

D. NON-FRATERNIZATION

Romantic or sexual relationships between a supervisor and a direct report employee can cause real or perceived conflicts of interest. In order to prevent these conflicts, the City prohibits such relationships or any conduct that is intended or may reasonably be expected to lead to the formation of a romantic or sexual relationship between a supervisor and an employee in a direct reporting relationship. This policy applies regardless of whether or not both parties freely consent to such relationships. Should a supervisor desire to date or become involved with a direct report employee, the supervisor should first resign from his/her position with the City.

Should two employees within the same department, but not in a direct reporting relationship, desire to become involved in a romantic relationship, they shall disclose the relationship to the department supervisor who shall then make a decision regarding the effect of the relationship on work product and work flow within the department. If in the judgment of the department supervisor, the relationship between two employees within the department creates a negative effect on departmental operations, then the more senior employee will be asked to transfer or resign his/her position with the City.

E. PENALTIES

Any employee found to be in violation of this policy shall be disciplined up to and including discharge depending on the circumstances. An individual who is employed, promoted, or advanced as the result of the supervisor's violation of this policy shall, at a minimum, be returned to the status occupied prior to the violation. In the event an employee does not accept an offer to transfer to another department, as applicable, the employee may be terminated. It shall be within the sole discretion of the City to determine which employee to terminate based on the best interests of the City.

City of Joshua Personnel Policies and Procedures

Section 3: Recruitment and Employment

3.3 FILLING OF POSITIONS/VACANCIES

Origination December 20, 2018
Revised

A. ANNOUNCEMENTS

The Human Resources Department shall publicly announce by appropriate means all job vacancies. Job vacancies may be posted on the City website, on bulletin boards located at City Hall, or various other websites and publications.

Each job announcement insofar as practicable shall specify the title, salary, and nature of the job, the required qualifications, and the application deadline. Each announcement shall also contain a statement affirming the City's commitment to a policy of equal employment opportunity.

This provision does not preclude promotions or transfers being done internally without advertising.

B. APPLICATIONS

Applications for initial employment, promotion, or another type of transfer shall be submitted as required to the Human Resources Department, with the exception of applications for police employees which will be processed in accordance with Police departmental policy.

All information submitted in connection with the application process is subject to verification.

Six months after a position is filled, all remaining applications for that position will be placed in a general inactive file and will not be considered for any other vacancies. Application received without a vacancy, advertised position will be kept active for only six months.

C. SELECTION PROCESS

The primary goal of the City is to fill vacancies with highly qualified applicants that are the best suited for the position. The City Manager, Department Head, or their designee shall determine the most appropriate means of evaluating applicants against job requirements and organizational mission to identify the qualified persons suited for the job.

Reference checks, interviews, medical and psychological examinations, criminal history checks, verification of citizenship or employment eligibility, a skills test, written tests, driver's license checks, and/or other screening procedures may be used as deemed appropriate and in all cases shall be consistent with the applicable employment laws and regulations.

D. TRAINING AND EVALUATION PERIOD

All regular employees shall be placed in a training and evaluation capacity for a period of six (6) months. This training and evaluation period will be utilized for closely observing the employee's work; for securing the most effective adjustment for a new employee to the position; and for dismissing any employee whose performance does not meet the required work standards.

During this training and evaluation period, employees have no opportunity to appeal for termination.

E. PROMOTIONAL OPPORTUNITIES

Promotion is the assignment of an employee from a position in one classification to a position in a higher job classification. An employee is eligible to apply for a promotional opportunity if he/she meets the minimum qualifications for the position.

Police Department promotions are managed internally, all other applications for city promotion should be made through the Human Resources Department when opportunities are officially posted.

The City of Joshua reserves the right to select individuals that it deems best suited for positions consistent with equal opportunity laws and fairness.

F. TRANSFERS

A transfer is the assignment of an employee in one position to another position in the same pay grade. An employee interested in a transfer must apply through the Human Resources Department when such an opportunity is posted. An employee is eligible to apply for a transfer if he/she meets the minimum qualifications for the position. The City of Joshua reserves the right to select individuals that it deems best suited for positions consistent with equal opportunity laws and fairness.

G. DEMOTIONS

A demotion is the assignment of an employee from one position to another position in a lower job classification having fewer responsibilities or requiring less experience, education, technical, or professional expertise, and will result in a reduction in salary.

The employee must be capable of performing completely all those duties required in the job to which he or she is demoted. An employee may be demoted for the following reasons:

1. Result of disciplinary action with the approval of the City Manager.
2. At the request of the employee with the approval of the Department Head and City Manager if the employee is qualified to perform the duties of the lower-level position.

Demotions that occur at the request of the employee shall not be deemed a disciplinary action or to disqualify the employee from consideration for later advancement.

H. RECLASSIFICATION

A job reclassification occurs when an employee's assigned, current job duties are reviewed, evaluated, and found to be substantially different from those of other jobs similarly classified, and it is determined that the employee's job should be called by another job title and/or assigned to another pay grade or job classification.

A position may be reclassified to a pay grade and classification that is higher, lower, or equal to the employee's current position. Reclassification does not change an employee's annual performance evaluation date.

Requests for Reclassification may be initiated by the Department Head. Employees may request a Reclassification review by contacting their Department Head. Reclassification requests must be approved by the City Manager.

I. TEMPORARY ASSIGNMENTS

An employee may be temporarily assigned to a position in a higher classification or pay grade. A temporary assignment to a higher job classification does not constitute promotion and shall not be used to circumvent normal selection procedures. An employee in a temporary assignment shall not acquire any status or rights in the class to which temporarily assigned.

Compensation for temporary assignments shall be made according to the City's official compensation plan. However, The City of Joshua reserves the right to assign higher-level duties to an employee without additional compensation.

Additional compensation for temporary assignments or acting duty shall be paid only if officially authorized by the Department Head and the rate of pay shall be assigned by the City Manager. A temporary assignment shall not exceed a term of six (6) months.

J. LAYOFFS – REDUCTION IN FORCE

An employee may have his/her employment terminated due to the elimination of budgeted positions. If there are more filled positions with the same job title than positions that must be eliminated, the decision regarding which employee to lay off will be based on job performance.

City of Joshua Personnel Policies and Procedures

Section 3: Recruitment and Employment

3.4 PERFORMANCE EVALUATIONS

Origination December 20, 2018

Revised October 21, 2021

The intent of the City of Joshua's performance evaluation process is to provide sufficient opportunities for employees to receive fair, accurate, and helpful performance feedback. The feedback received should assist employees in maintaining and improving good job performance and ultimately contribute to providing the best service possible to our citizens and customers. The performance evaluation process serves as a management tool for making decisions regarding career development, succession planning, training, retention, and compensation. All evaluations will be retained in the employee's personnel file.

The performance evaluation process is the ongoing action of setting performance expectations, coaching employees to reach those expectations, providing feedback to employees, and then reviewing and recognizing those performance results.

Feedback discussions occur bi-annually, in January and July of each year.

A. TYPES OF EVALUATIONS

January Evaluations

January evaluations will serve as the primary evaluation for each year and will cover performance objectives, development plans, and set goals for the employee for the upcoming year. Employees will be marked as either meets standards or needing improvement.

July Evaluations

July evaluations will be used as a checkpoint to ensure employees are maintaining their performance and meeting any goals that are set during the January evaluation.

Probationary Evaluations

New, non-sworn employees to the City of Joshua are considered probationary employees for the first six (6) months of service. Sworn personnel serve a one (1) year probationary period. New employees will receive periodic performance evaluations until they successfully complete their probationary period. At the completion of their probationary period, employees will begin receiving bi-annual performance evaluations.

The probationary period serves as a formal opportunity to determine if a mutual fit exists between the employee and the organization. A decision to continue or end employment may be made at any time, by either the employee or the city, during or after completion of this period.

90 Day Re-Evaluation

Employees receiving an overall performance rating of “Improvement Expected” on their January performance evaluation will generally be placed on a Performance Improvement Plan (PIP) for three (3) months. At the end of the three (3) month period, the employee will receive a formal re-evaluation of their performance.

City of Joshua Personnel Policies and Procedures

Section 3: Recruitment and Employment

3.5 EDUCATION AND TRAINING

Origination December 20, 2018
Revised

All employees shall have the knowledge and expertise to do their job. Employees will have a minimum educational standard required for their position. In addition, the City of Joshua will provide the following:

1. On-the-job training: Each employee will receive training on procedures, policy, and equipment by their supervisor and other employees in similar positions.
2. Government-required education, registration, and licensure: All employees so required will achieve and maintain their own educational, registration, and licensure requirements.
3. Additional training and education: From time to time, additional training and education will be required to enhance job performance, knowledge, and expertise.

City of Joshua Personnel Policies and Procedures

Section 3: Recruitment and Employment

3.6 MEMBERSHIPS IN ORGANIZATIONS AND ASSOCIATIONS

Origination December 20, 2018
Revised

The City of Joshua may pay for memberships in organizations and associations whose objectives and purposes are directly related to the objectives and purposes of the City. Each Department Head will be responsible for approving payment for membership in the organization.

City of Joshua Personnel Policies and Procedures

Section 3: Recruitment and Employment

3.7 COMMITMENT

Origination December 20, 2018
Revised

A. CITY ORGANIZATION (ALL CITY EMPLOYEES)

The city workforce exists to provide essential municipal services to the community. The city organization is committed, within its financial constraints, to maintaining a workforce of the most qualified workers to provide reliable, quality, and cost-efficient services to the community in a respectful and friendly manner.

B. RESPONSIBILITIES OF MANAGEMENT

In keeping with the respect due to each employee, city management is committed to:

- provide effective and efficient delivery of services;
- compensate employees fairly for work done;
- provide safe, healthy, work conditions in accordance with provisions of all applicable law;
- adequately instruct and train employees in their duties;
- supply necessary tools and equipment (except those customarily provided by employees);
- provide reasonable opportunities for development experience and competitive advancement; and
- actively engage in equal opportunity activities; and
- City management shall not dismiss an individual, fail or refuse to hire an individual, or otherwise discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment because of the individual's race, color, age, religion, sex, national origin, disability, pregnancy, military status, political opinions, or affiliations.

C. EMPLOYEE RESPONSIBILITIES

An employee shall:

- be loyal to and meet the reasonable expectations of city management and the citizens of the city,
- report to work regularly and at the time specified by their supervisor;
- consistently meet or exceed performance standards established for the employee's job;
- work in a professional, cooperative, safe, and friendly manner; and
- strive to get along well with co-workers and citizens.

City of Joshua Personnel Policies and Procedures

Section 3: Recruitment and Employment

3.8 SEPARATION FROM EMPLOYMENT

Origination December 20, 2018
Revised

A. RESIGNATION

A resignation is a voluntary act initiated by the employee to end employment with the City. The employee must submit a signed and dated letter of resignation to their Department Head at least two (2) weeks in advance, stating reasons for leaving.

If an employee does not provide advance notice or fails to work the remaining two (2) weeks, the employee will not be eligible for rehire unless otherwise approved by the City Manager. The employee also will not be eligible to receive a payout of accrued benefits, unless at the discretion of the Department Head and the City Manager a decision is made to pay all or a portion of accrued benefits to the employee in lieu of the two (2) week notice.

A resignation longer than ten (10) days must be approved by the City Manager. No resignation shall exceed thirty (30) days unless otherwise stated in an employment contract. All employees must be available to work during the notice period. Vacation days or holidays may not be taken during the two-week notice without prior written approval from the Department Head.

The department head is responsible for immediately notifying Human Resources of any resignation. Once a resignation has been submitted, it may be withdrawn only at the discretion of the Department Head or the City Manager.

The Department Head or City Manager may relieve an employee from duty before the expiration of the notice period without cause; however, the employee shall be compensated for accrued vacation unless terminated for cause. The City shall determine if the notice period is waived if the employee is still considered to have left in good standing depending on the circumstances.

B. RETIREMENT

An employee who intends to retire is requested to notify their supervisor, in writing, thirty (30) days before the date of retirement. This time frame ensures that all required retirement paperwork is submitted, received, and processed by TMRS and the City to ensure a smooth transition into retirement.

C. DISMISSAL/TERMINATION

An employee may be dismissed at any time when, in the judgment of the Department Head and the City Manager, the quality and performance of their work does not merit continuation of employment, the employee is unable to perform the essential functions of the position or their conduct violates city, state, local or federal policies or procedures.

Employees requiring accommodations due to medical necessity are required to request such accommodations and provide Human Resources with adequate documentation to determine the needed accommodations. Employees shall have an affirmative duty to report to Human Resources or their Supervisor any physical limitations impacting the ability to perform essential functions of their job. An employee's supervisor may immediately suspend an employee pending dismissal actions by the Department Head or City Manager.

The Department Head is responsible for the implementation of dismissals. To appeal a dismissal, an employee must follow the steps of the grievance policy.

D. JOB ABANDONMENT

Employees who fail to report to work or to contact their supervisor for two (2) consecutive workdays shall be considered to have voluntarily resigned effective at the end of their normal shift on the second day; with or without a written resignation. The employee will not be eligible for re-employment.

E. REDUCTION-IN-FORCE/REORGANIZATION

An employee may be separated from City service when it is deemed necessary because of shortage of funds or work, the abolition of the position, or other material change in the duties of the organization, or for other reasons which are outside the employee's control and which do not reflect discredit upon the service of the employee.

F. DEATH

If a City employee dies, their designated beneficiary will be paid all earned pay and payable benefits, less any amount owed to the City by the employee.

G. DISABILITY

An employee will be separated when, for physical or mental reasons, they cannot perform the essential functions of their position or any of the essential functions of a position after

accommodation has been offered, if applicable. Voluntary separations based on reasons of disability must be substantiated by medical evidence if the disability may be a factor or condition of a retirement plan covering the employee.

H. AUTOMATIC TERMINATION POLICY

Under no circumstances, except for exceptions allowed under state and local rules, may an employee be absent from the workplace for more than one year. If an employee is unable, fails, or has not returned to work from an authorized leave of absence, for whatever reason, at the end of one year from the first day they leave began, their employment will automatically terminate. An employee will be considered unable to return to work if they cannot perform the essential functions of the job, with or without reasonable accommodation.

Brief appearances at work during a long-term absence will not prevent the City from terminating the employee under this policy if it is determined to be in the City's best interest. Likewise, any employee who reports to work (e.g., in a light-duty capacity) but is unable to perform the duties of his or her actual position for one year will be terminated.

City of Joshua Personnel Policies and Procedures

Section 4: Compensation

4.1 HOURS WORKED

Origination December 20, 2018

Revised October 21, 2021

The City's normal workweek begins on Saturday and ends on the following Friday. The workweek or work cycle may, however, vary from department to department. Department heads may establish working schedules to meet their specific needs; provided the standard schedule is for no more than 80 hours per work period for sworn employees of the police department, 106 hours per work period for sworn employees of the fire department, or 40 hours per work period for all other employees. Employees are expected to be at their workstations and ready to work at their scheduled start time.

A. REGULAR WORK HOURS/WORKWEEKS/WORK CYCLES

- **Fire Department** – All non-exempt fire suppression personnel work a 24-hour shift every third day, based on a 14-day, 106-hour work cycle.
- **Police Department** -All Sworn Police Department personnel have a 14-day work cycle in conformance with established Department operating policies, the FLSA, and applicable Texas law.
- **Other Employees** -The regular workday normally begins at 8:00 a.m. and ends at 5:00 p.m., although employees in some departments may have different work hours. Full-time, non-exempt employees normally work 40 hours in a seven-day workweek. Exempt employees are often required to work in excess of 40 hours.

B. ADJUSTMENT TO WORK HOURS

In order to assure the continuity of City services, it may be necessary for Department Heads, with the City Manager's approval, to establish other operating hours for their Departments. Work hours and work shifts must be arranged to provide continuous service to the public in certain departments, including Police, Fire/EMS, and Public Works. Employees are expected to cooperate when asked to work overtime or a different schedule. Any change to established work schedules must be authorized in writing and in advance by the appropriate supervisor.

C. TIME MANAGEMENT (NON-EXEMPT EMPLOYEES)

Time missed by non-exempt employees for a valid and approved reason (such as a doctor or dentist

appointment) may be made up during the same workweek/cycle, i.e., “Time Managed,” if all of the following are met:

1. The appropriate supervisor has given prior authorization to make up the missed time;
2. The time missed is made up in the same workweek (or work cycle);
3. The employee’s total hours for that week do not exceed forty (or as applicable for certain Fire and Police shift personnel with different work cycles); and
4. The time is accurately recorded on the employee’s time records. Supervisors are encouraged to use Time Management to minimize overtime.

City of Joshua Personnel Policies and Procedures

Section 4: Compensation

4.2 TUITION REIMBURSEMENT

Origination December 20, 2018
Revised

City of Joshua's regular full-time employees is eligible to apply for reimbursement for tuition, eligible fees, and required textbooks for eligible courses including on-site, online, or correspondence courses.

A. ELIGIBILITY

In order to be eligible for reimbursement, the following criteria must be met:

1. The employee shall have completed one year of full-time employment and be in good standing with the City.
2. In order for a course to be eligible for reimbursement, it must be from an accredited school, college, university, or technical school.
3. The course of study must also be in a field that is an available career path within the City organization.
4. Accreditation and other questions will be handled on a case-by-case basis and in the sole judgment of the Human Resources Manager.
5. Employees must apply within 10 days of registration in order to get approval.
6. Job-related seminars, workshops, or other courses, which are short-term, are ineligible for tuition reimbursement. Instead, these short-term courses should be funded through a department's training fund and applied for through the respective departments.

B. GRADES REQUIRED

Grades must be submitted with a request for reimbursement. If an employee drops the course or does not receive a "C" or better, the employee will not be reimbursed for the course.

C. REIMBURSEMENT

Reimbursement shall be for tuition and eligible fees. Schedules of tuition and required fees for Texas residents at state-supported colleges and universities will be the official guidelines in determining eligible fees.

The City will participate in these costs up to a maximum of \$500.00 per course with a total FY maximum of \$1,000.00 annually per employee.

D. COURSE SCHEDULE

Course times and schedules must accommodate the regular work schedule. Any courses that interfere with daily work routines must be approved by the Department Head. Any change needed in work time in order to fit class schedules must first comply with the needs of the department and the City.

This policy in no way guarantees someone time off or schedule rearrangement.

E. REIMBURSEMENT PROCEDURES

Any employee that wishes to apply for tuition reimbursement must notify their supervisor no later than the first day of May each year.

Employees will submit an original Tuition Reimbursement Application Form (Appendix), attach a copy of the receipt(s) for tuition and fees to the form, and give it to the employee's supervisor. Section 2 of the application will be completed and approved/disapproved by the employee's supervisor and Department Head.

All paperwork is then forwarded to Human Resources (no later than 10 days after registration). If approved, the request for reimbursement to the employee will be submitted to the Finance Department.

Upon completion of the class, the employee must submit a copy of the grade sheet to the Human Resources Department. Reimbursement will be made as soon as practicable following submission of the final grade report to the Human Resources Department.

Any employee who receives "Tuition Reimbursement" and leaves City employment within twenty-four months of receiving the Tuition Reimbursement (due to voluntary termination), shall repay the City all "Tuition Reimbursement" paid to them within the twelve months prior to the actual date of termination.

As a recipient of "Tuition Reimbursement", the employee authorizes the City to deduct the balance owed for "Tuition Reimbursement" from his/her paycheck or any other final payments due to the employee.

The employee understands that, if sufficient funds are not available to satisfy the "Tuition Reimbursement" owed to the City, the employee will pay the balance owed to the City by personal check, cash, or money order.

City of Joshua Personnel Policies and Procedures

Section 4: Compensation

4.3 INCLEMENT WEATHER AND EMERGENCY CLOSING

Origination December 20, 2018

Revised October 21, 2021

Revised March 16, 2023

In certain conditions, the City Manager or designee may determine that the City should close due to emergency or severe weather conditions. An emergency closing will be considered when the health, safety, and welfare of the public or City employees may be at risk or conditions do not allow the conduct of normal City operations. Under some circumstances, the City may remain open but with limited essential personnel only. Department heads are required to identify essential personnel and communicate attendance expectations.

A. COMMUNICATION

In the event the City Manager or designee determines that City offices must be closed due to inclement weather or other disasters, the City Manager or designee will notify all department heads. Department heads will, in turn, notify their respective staff.

This information will also be communicated on the City's website and social media pages.

B. UNABLE TO REPORT TO WORK WHEN OFFICES ARE OPEN

Personnel who are unable to report to work when directed or when normal city operations commence must contact their supervisor in accordance with personnel policies and departmental procedures. In this circumstance, the employee may use vacation or unpaid leave for those hours absent. Employees who fail to report or contact their supervisor may be subject to disciplinary action, up to and including termination.

C. COMPENSATION FOR INCLEMENT WEATHER ABSENCES

Non-essential staff shall receive paid leave for their normally scheduled hours during which the City is closed and they did not work. These hours shall not count as hours worked toward overtime eligibility.

In the event of a delayed opening or early closure, employees will be paid for the hours scheduled to work that day.

D. EMERGENCY SERVICES PERSONNEL

Certain emergency services personnel will be required to work even when City offices are declared closed. Emergency services personnel are non-exempt personnel who are needed in order to provide basic services during inclement weather or other declared disasters. The responsibility for designating emergency service personnel rests with each department head and may include certain public works, parks, and animal services employees.

Emergency services personnel who work when City offices are closed due to emergency or severe weather conditions will be provided with a replacement day off within 90 days from the declared closure day. It will be the responsibility of the department head to coordinate such replacement days off.

If an employee works a partial workday, they will receive a replacement day off equal to hours worked when City offices were closed.

Emergency services personnel does not include public safety personnel.

E. PUBLIC SAFETY PERSONNEL

Due to the nature of positions with the Police and Fire Departments, employees who support 24/7 operations within both departments are expected to report to work as scheduled, regardless of inclement weather or other disasters, and are not eligible for the replacement day off.

If extenuating circumstances are present, employees must contact their supervisor before the start of their shift to discuss the details of the situation further. The employee's supervisor will be responsible for determining the appropriate action.

F. USE OF OFFICIAL CLOSURE DAY

1. Personal Illness: Employees who would have used a sick day due to illness may use the Closure Day in place of taking a sick day
2. Out on Family Medical Leave: If an employee is out on Family Medical Leave (FMLA), the Closure Day will not be counted as a Family Medical Leave day
3. While on Vacation: Employees who scheduled vacation that fell on the Closure Day may use the Closure Day in place of taking a vacation day
4. While on Unpaid Leave of Absence: Employees on an approved personal leave of absence without pay will not be granted the Closure Day

City of Joshua Personnel Policies and Procedures

Section 4: Compensation

4.4 COMPENSATION

Origination December 20, 2018
Revised

A. PAY PLAN PREPARATION AND MAINTENANCE

Employees are compensated based on the City of Joshua's job classification compensation plan or pay plan. Each job is classified according to designated duties and other compensable factors, then assigned to a pay grade on the City's pay plan. Each pay grade on the pay plan has a minimum and maximum pay rate. With very few exceptions, your pay should never fall below the minimum or exceed the maximum limits of your position's pay grade.

The City's pay plan is reviewed from time to time and revised as needed to reflect changing market conditions and compensation objectives. Your actual rate of pay may or may not be adjusted as a result of one of these reviews. The City Council establishes the Pay Plan.

B. PAY PERIOD, PAYCHECKS, AND DIRECT DEPOSIT

The pay period for the City of Joshua is bi-weekly. All employees are required to have their checks electronically direct-deposited to their bank or credit union account. Employees who do not have a checking account will be required to obtain one.

Pay stubs will be available to each employee bi-weekly. If at any time an employee's bank accounts information changes, it is essential that the employee obtain and complete an application form providing the new information. Indicate on the form that the information is a change so the form can be processed immediately. Application forms for changes must be done immediately after the change is made.

The Human Resources Department will need time to initiate necessary changes with the bank so that your payroll check will be deposited in the correct account.

Paychecks will be direct deposited into your bank or credit union account on Wednesday following the two-week pay period ending on the previous Friday. The city will only make payroll deductions for association memberships as required by law when the automatic draft is not available to the employee.

City of Joshua Personnel Policies and Procedures

Section 4: Compensation

4.5 TIMEKEEPING AND TIMESHEETS

Origination December 20, 2018

Revised October 21, 2021

All non-exempt employees shall prepare an accurate record of all hours worked, to be submitted to the Finance department, on the established schedule.

A. NON-EXEMPT EMPLOYEES

A non-exempt employee is required to record his exact hours of work by completing a timesheet for each pay period. The dates worked and the hours worked each day must accurately reflect the actual time worked. An employee who fails to accurately record work time, including time, worked but not authorized by the appropriate supervisor, or who falsifies time records is subject to disciplinary action, up to and including termination. An employee may also be subjected to criminal sanctions.

For payroll purposes, all time will be rounded to the nearest quarter hour utilizing the seven-minute rule. If an employee works at least seven full minutes, but less than eight, the number will be rounded down to the nearest fifteen minutes. More than eight minutes will be rounded up to the nearest quarter-hour. An employee must not complete and/or make changes to any other person's time card except his own unless specifically authorized by the appropriate manager and/or by Payroll or Human Resources. The employee must also be notified of the entries or changes made.

Examples of inappropriate practices in recording work time, which are violations of this policy and the Fair Labor Standards Act, include, but are not limited to:

1. Not recording work performed during a meal period;
2. Not recording work performed at home;
3. Arriving "early" and working or staying "late" and working, and not recording the time worked;
4. Not recording overtime;
5. Leaving early on a day in one workweek and reporting early, staying late, or working during meal periods as "makeup" in another workweek;
6. Maintaining dual time records, such as one set for pay purposes and another set for actual time worked;
7. Recording leave hours (vacation and sick) as hours worked; and
8. Recording hours worked as leave hours.

The above examples include actions by either the employee and/or the supervisor/manager permitting these actions to occur. "Doctoring" or otherwise falsifying time records clearly violates

the FLSA and City policy and will subject the responsible person or persons to appropriate disciplinary action. Beyond all possible legal and policy complications, falsified time records violate the City's need for equity in its pay and benefit practices among employees in any department.

B. APPROVALS

All time cards must be approved by the appropriate supervisor or a designated supervisor/manager within the employee's chain of command in a timely manner and in accordance with requirements and deadlines established by Payroll.

City of Joshua Personnel Policies and Procedures

Section 4: Compensation

4.6 REST AND MEAL PERIODS

Origination December 20, 2018

Revised October 21, 2021

The Fair Labor Standards Act (FLSA) does not require that an employer provide its employees with time off for rest breaks, coffee breaks, meal periods, or for any other such purpose.

However, if the employer does provide breaks of this type, there are regulations governing the determination of whether the break time is compensable hours worked. The scheduling of employee lunch periods and rest periods will be determined by the Department Head or their designee to facilitate serving the public and permitting efficient department operations.

A. REST PERIODS

Rest periods are a privilege, not a right, and should not interfere with the proper performance of work responsibilities and schedules. If workflow permits and if authorized by their immediate supervisors, employees may take two 15-minute rest periods each workday. Rest periods cannot be used at the beginning or end of the workday to shorten the workday. Employees will be compensated for authorized rest periods.

B. MEAL PERIODS

Lunch periods may be offered for full-time employees. The department head or their designee is responsible for scheduling and deciding the duration of lunch periods. Non-sworn employees will not be compensated for lunch periods when they are completely relieved from duty unless authorized by the department head or designee. An exception is made for sworn employees of the fire and police departments, the standard workday does not include approved meal periods. Meal periods for non-sworn employees are time off without pay.

As a general rule, designated lunch periods cannot be used as time worked in order to shorten the workday. However, supervisors may authorize employees to work through all or part of their lunch periods in order to accommodate leaving work earlier than normal. Such permission should be requested and granted in writing. Working through the required meal period without written approval from the employee's supervisor may be grounds for disciplinary action, up to and including termination.

Departments may consult with the Human Resources Department for assistance in administering rest and lunch period policies.

City of Joshua Personnel Policies and Procedures

Section 4: Compensation

4.7 OVERTIME

Origination December 20, 2018

Revised October 21, 2021

Federal regulations allow government jurisdictions to compensate non-exempt employees for overtime work with overtime pay at the rate of one-and-one-half (1 ½) times for all time worked in excess of forty (40) hours in a workweek.

Employees must obtain supervisory approval before working overtime. Employees working unauthorized overtime will be compensated for the time but may face disciplinary action.

Department heads or designees should limit overtime work in their departments to the extent possible. Supervisors can direct employees to flex their schedules within the same workweek that the overtime would occur, in order to avoid accrual of overtime hours. Supervisors are prohibited from changing an employee's workweek to avoid overtime liability to the employee.

Opportunities to work overtime should be distributed as evenly as possible among qualified employees.

The employee or the designated employees (timekeepers) in each department must maintain accurate records which reflect an employee's actual hours worked. Employees who electronically enter their work hours must record all hours worked. Hours must be recorded on paper or electronic timesheets and must be approved by their supervisor in order to be compensated.

A. NON-EXEMPT EMPLOYEES

Non-exempt employees are eligible to receive one-and-one-half (1 ½) hours for each overtime hour worked at their regular hourly rate in overtime pay for hours worked in a workweek.

Leave time used does not count as hours worked for the basis of calculating overtime eligibility. Sick leave, vacation leave, bereavement leave, and injury leave (Workers' Compensation) are considered "hours not worked" and are not considered for overtime eligibility. Only those hours actually worked (or treated under City policy as worked) in excess of forty (40) hours are compensated at the one-and-one-half (1 ½) overtime rate.

B. EXEMPT EMPLOYEES

Exempt employees are often expected or required to work more than forty (40) hours in a workweek. According to the FLSA, certain categories of employees are exempt from the payment of overtime.

C. SWORN POLICE

Sworn police employees who are not otherwise exempt under The Fair Labor and Standards Act (FLSA) and all officers below the rank of Chief will be paid overtime in the same manner as regular non-exempt employees.

1. Overtime will be paid to sworn police employees for hours worked in excess of eighty (80) hours in a fourteen (14) day work period.
2. Overtime will be paid at a rate of one-and-one-half (1½) times the employee's regular rate if the overtime is a result of work that was not previously scheduled such as emergency situations, unplanned replacement of unavailable employees, or other situations requiring the Police Chief to meet staffing requirements resulting from unique situations where the employee was not scheduled to work. Holidays worked are included in the calculation of overtime.

D. FIRE SUPPRESSION

Overtime is paid based on a standard twenty-four (24) hours on duty/forty-eight (48) hours off duty schedule, which is permissible by the Department of Labor, Fair Labor Standards Act provisions. Certified fire employees who are not otherwise exempt under FLSA Section 13 (a)(1) will be paid overtime as follows:

1. Sworn employees of the fire department are entitled to overtime pay for all hours worked in excess of one hundred six (106) hours in a fourteen-day (14) work cycle as permitted under the Fair Labor Standards Act. Working overtime hours must be approved in advance by the appropriate supervisor.
2. When not scheduled to work, overtime will be paid at a rate of one-and-one-half (1½) times the employee's regular rate. Examples include work that was not previously scheduled such as emergency situations, unplanned replacement of unavailable employees, or situations requiring the Fire Chief to meet staffing requirements resulting from unique situations where the employee was not scheduled to work. Holidays are included in the calculation of overtime for fire department personnel.

City of Joshua Personnel Policies and Procedures

Section 4: Compensation

4.8 FINAL PAY AT TERMINATION OR RETIREMENT

Origination December 20, 2018
Revised October 21, 2021

Final pay for hours worked in a pay period before termination is direct deposited into the employee's primary designated account on the payday after the termination is processed.

Employees who terminate and work less than fifty (50) percent of the month that the separation occurred do not earn/accrue vacation during that final pay period.

If a pay rate change occurs during the pay period in which the employee terminates, the employee is paid their terminal leave pay (including appropriate leave balances) at the pay rate in place on the date of their separation.

Non-exempt employees are paid for accrued compensatory time at termination regardless of the reason for the termination. Exempt employees who are involuntarily terminated or resign in lieu of termination may be paid for accrued vacation time at the discretion of the City Manager or their designee in exchange for a release of claims. Employees who are terminated before the expiration of their initial probation (including an extension of initial probation) are not paid for unused accrued vacation leave. The payment of any applicable accrued hours will be made via the employee's direct deposit information on file at the time of separation.

The City can collect any money from the employee's final pay that is owed to the City for benefits, overpayment, and/or for any tools or equipment the department (or City) provided that are primarily for the benefit or convenience of the City. Uniforms, keys, vehicles, and other City-owned equipment must be returned in good condition to the employee's supervisor prior to the separation. If a terminating City employee fails to return City-owned equipment or property to the City before their final paycheck is issued, the value of the property or equipment will be deducted from the final pay, with the balance of the final check to be paid after the employee returns the equipment or property to the City.

If the pay for the hours worked on the final paycheck is reduced to below the minimum wage, the Finance Department needs to be consulted to ensure that FLSA regulations are not violated.

City of Joshua Personnel Policies and Procedures

Section 4: Compensation

4.9 LONGEVITY PAY & SERVICE RECOGNITION PROGRAM

Origination December 20, 2018

Revised October 21, 2021

Revised March 16, 2023

The purpose of this policy is to recognize employees' years of service and career commitment to the City of Joshua.

A. LONGEVITY PAY

Eligibility

All regular, full-time employees are eligible to receive longevity pay.

Longevity pay is based on months of continuous service with the City of Joshua. If a break in service occurs, longevity will be calculated from the latest hire date or reinstatement date and will not include prior service.

Amount

Longevity pay is earned for each month of continuous service. The amount of longevity pay shall not fall below four dollars (\$4) per month and is determined by the City Council through the budget process each fiscal year.

Longevity pay will be paid in a lump sum and processed on the second payroll in November.

B. SERVICE RECOGNITION PROGRAM

Eligibility

All regular, full-time employees who reach five, ten, fifteen, twenty, twenty-five, and thirty years of continuous service will receive the items listed below. Service awards are presented to employees in December. Human Resources will be responsible for managing the Service Recognition Program.

Five-Year Award

Five-year service logoed item

A gift to be determined (valued at \$100)

Ten-Year Award

Ten-year service logoed item

A gift to be determined (valued at \$200)

Fifteen-Year Award

Fifteen-year service logoed item

A gift to be determined (valued at \$300)

Twenty-Year Award

Twenty-year service logoed item

A gift to be determined (valued at \$400)

Twenty-Five Year Award

Twenty-five-year service logoed item

Acknowledgment by Mayor at City Council meeting

Letter from City Manager

A gift to be determined (valued at \$500)

Thirty-Year Award

Thirty-year service logoed item

Acknowledgment by Mayor at City Council meeting

Letter from City Manager

A gift to be determined (valued at \$600)

City of Joshua Personnel Policies and Procedures

Section 5: Leave

5.1 HOLIDAY LEAVE

Origination December 20, 2018

Revised October 21, 2021

Revised March 16, 2023

The City recognizes a number of holidays designated by the City Council. Paid holidays are reviewed annually by the City Manager and City Council.

A. ELIGIBILITY

Paid holidays are extended to all regular, full-time employees. There is no waiting period for employees to receive holiday pay. However, new employees who begin employment on the day after a holiday do not receive payment for the holiday. Part-time, temporary, or seasonal employees are not eligible for paid holiday leave.

B. OFFICIAL CITY HOLIDAYS

The following holidays are observed by the city:

New Year's Day	Labor Day	Christmas Day
Martin Luther King Day	Veterans Day	Personal Holiday* (1)
Good Friday	Thanksgiving Day	
Memorial Day	Day After Thanksgiving	
Independence Day	Christmas Eve	

Shift Police and shift Fire personnel will have annual holidays loaded into a holiday bank in January each year. Holiday hours may be taken at any time during the calendar year with supervisor approval when the workload permits and the leave does not interfere with normal department operations and the needs of the City. Holidays not taken at the end of the year will be forfeited. If an employee in this category leaves during the year and has taken but not accrued one or more holidays, it will be deducted from their vacation leave accrual. If the vacation leave accrual doesn't cover the taken holiday(s), the amount will be deducted from the employee's final paycheck.

Employee Type	Annual Accrual
Shift Police Personnel	88 Hours (excludes personal holiday)
Shift Fire Personnel	132 Hours (excludes personal holiday)

C. PROVISIONS

1. Holiday pay is not intended to match hour-for-hour of an employee's work shift. The hour value of a holiday is:
 - eight (8) hours for regular employees and sworn personnel;
 - twelve (12) hours for 24-hour fire personnel
2. A holiday shall not count as hours worked toward overtime eligibility.
3. An official holiday occurring while vacation, sick, or FMLA leave is being taken will be reflected as a holiday on the payroll. No deduction from the vacation or sick leave balance will be made for the holiday.

D. HOLIDAYS ON WEEKENDS

When an official holiday falls on a weekend, the following alternative schedule applies:

1. A holiday that falls on a Saturday shall be taken on the Friday before the holiday.
2. A holiday that falls on a Sunday shall be taken on the Monday after the holiday

E. PERSONAL DAY

Employees are afforded one personal day per calendar year. The personal day may be taken on a workday of the employee's choice, subject to their supervisor's approval. The personal day shall not count as hours worked toward overtime eligibility. The personal day may not be carried over at the end of the calendar year. If it is not used on or before December 31st of each calendar year, it will be lost.

In compliance with the Texas Government Code Section 142.0013, covered firefighters shall receive a holiday designated as September 11 in lieu of the personal holiday.

F. RELIGIOUS HOLIDAYS

Employees may request an approved absence to celebrate a religious holiday that is not a

scheduled city holiday. If approved, the employee must use a personal day, vacation, or leave without pay.

G. LOSS OF HOLIDAY PAY

An employee shall not receive pay for a holiday if the employee:

1. Is absent without approved leave either the day before or the day following an official holiday.
2. Is absent without approved leave on a holiday on which the employee is scheduled to work.

H. PAYMENT UPON SEPARATION

Upon separation, an employee is not eligible for payment of any unused holiday time, including their personal day.

Employees who designate their last day of employment on an official city holiday shall not receive holiday pay for that holiday.

City of Joshua Personnel Policies and Procedures

Section 5: Leave

5.2 VACATION LEAVE

Origination December 20, 2018

Revised October 21, 2021

Revised March 16, 2023

A. FULL-TIME EMPLOYEES

Eligibility

All regular full-time employees will accrue vacation leave beginning on their hire date. The rate at which vacation is accrued will be based on years of service with the City. Part-time, temporary, and seasonal employees are not eligible to accrue vacation leave.

Employees are eligible to use vacation leave once they have completed their first six (6) months of employment. Exceptions to this policy must be approved in writing by the City Manager.

Accrual Rate

Regular employees and sworn personnel will accrue vacation based on an 8-hour day. 24-hour fire suppression personnel will accrue vacation based on a 12-hour shift. The maximum allowable vacation leave accrual will be two (2) times the annual accrual rate.

Vacation accruals will be distributed over twenty-six (26) pay periods each year. If an employee reaches the maximum accrual rate, accruals will stop until their vacation leave balance is below the allowed maximum. Failure to use or sell back any hours over the allowable annual accrual will result in the loss of accrued vacation leave. This is generally referred to as the “use it or lose it” rule.

Non-Exempt Employees

Up to 60 months (0-5 years of service)	Days Per Year	Hours Per Pay Period	Maximum Vacation Accrual Hours/Days
40-Hour Employees	10 days	3.08 hours	160 hours/20 days
40-Hour Sworn Police	10 days	3.08 hours	160 hours/20 days
24-Hour Certified Fire	5 shifts	4.62 hours	240/10 shifts

61-108 months (6-9) years of service)	Days Per Year	Hours Per Pay Period	Maximum Vacation Accrual Hours/Days
40-Hour Employees	15 days	4.62 hours	240 hours/30 days
40-Hour Sworn Police	15 days	4.62 hours	240 hours/30 days
24-Hour Certified Fire	7 shifts	6.46 hours	336/14 shifts

120 + months (10+ years of service)	Days Per Year	Hours Per Pay Period	Maximum Vacation Accrual Hours/Days
40-Hour Employees	20 days	6.15 hours	320 hours/40 days
40-Hour Sworn Police	20 days	6.15 hours	320 hours/40 days
24-Hour Certified Fire	10 shifts	9.23 hours	480/20 shifts

Exempt Employees

Up to 120 months (0-10 years of service)	Days Per Year	Hours Per Pay Period	Maximum Vacation Accrual Hours/Days
40-Hour Employees	15 days	4.62 hours	240 hours/30 days
132 - Months (11 + years of service)	Days Per Year	Hours Per Pay Period	Maximum Vacation Accrual Hours/Days
40-Hour Employees	20 days	6.15 hours	320 hours/40 days

B. EMPLOYEES MOVING FROM A NON-EXEMPT TO AN EXEMPT POSITION OR VICE VERSA

Employees being transferred, promoted, or demoted to a different position shall retain their accrued vacation balance. The accrual rate will change if there is a change to the FLSA exemption for that position. If this change results in the employee's leave balance being above the allowed maximum, a resolution will be determined by the department head and Human Resources, with the approval of the City Manager.

C. VACATION ACCRUAL - PARTIAL PAY PERIOD ACCRUAL

Employees will not accrue vacation if they work less than one-half (½) of the pay period. This would apply to new hires, separations, administrative leave without pay, or unpaid FMLA. This does not apply to employees utilizing approved paid leave.

D. VACATION ACCRUAL DURING UNPAID LEAVE OF ABSENCE

An employee will not accrue vacation during pay periods where unpaid leave is used for one-half (½) or more of the pay period, including unpaid FMLA. Vacation pay will not be authorized during a leave of absence without pay or a disciplinary suspension.

E. SCHEDULING OF VACATION

Leave Request Form- Requestor

Employees should submit a Leave Request Form to their supervisor or department head no less than thirty (30) days prior to their requested day off.

Employees can use vacation leave in quarter-hour (1/4) hour increments. Vacation days off will be limited to not more than ten (10) consecutive days (2-weeks) in a ninety (90) day period. 24-hour fire suppression employees shall take no more than five (5) shifts worth of vacation time in a (90) day period. (Exception: In an emergency situation or when used during FMLA).

Leave Request Form- Supervisor Review

When requests are reviewed, due consideration should be given to the needs of the requesting employee. However, vacation leave should only be approved when the workload permits and the leave request does not interfere with normal department operations and the needs of the City. The department's operational needs may require supervisors to request that employees explain the circumstances of their requested leave to aid in the decision-making process. If additional information is requested, failure to provide information or documents concerning the requested vacation leave may result in the denial of the use of vacation leave. Nevertheless, every effort shall be made to accommodate individual requests.

Supervisors may rescind previously approved vacation leave due to shift coverage. When doing so, the supervisor must consider the consequences to the employee of which the supervisor is aware (prepaid travel expenses, family issues, employee morale) compared to the department's operational needs in deciding whether to rescind requested leave.

Employees cannot "borrow" from future leave accruals. Approved Leave Request forms should be submitted to the Human Resources Department.

F. HOLIDAYS DURING VACATION

Official City holidays occurring during an employee's vacation shall not be charged to vacation leave.

G. ILLNESS DURING VACATION

Employees who become hospitalized or incapacitated due to injury or illness during their vacation leave may request that their vacation be temporarily terminated and their time be charged to sick leave. Department Heads and supervisors may require satisfactory proof of illness. If approved, a revised Leave Request form should be submitted to the Human Resources Department, reflecting the approved change.

H. VACATION SELL BACK

Regular full-time employees are eligible to sell back a maximum of eighty (80) hours of accrued vacation leave per fiscal year. When selling back vacation leave, an employee's vacation leave balance must not fall below forty (40) hours. Employees requesting to sell back vacation leave must submit a Sell Back Request form to Human Resources to confirm that their request complies with the stated policy.

I. SEPARATION PAY

Regular full-time employees who have completed their probationary period and are in good standing will be eligible to receive payment for accrued vacation leave so long as they provide and complete a two (2) week notice.

Payment upon separation shall not exceed 160 hours for regular full-time employees and sworn police and 240 hours for 24-hour fire shift personnel.

If the employee is terminated or resigns without providing a two (2) week notice or fails to work the full two (2) weeks, no accrued vacation leave shall be paid. If an employee leaves the city for any reason during their probationary period, no payment will be made for vacation leave.

Department directors or city administration may wave a two (2) week notice. In this case, the employee would still be eligible for a payout in accordance with this policy.

Employees may not extend their last date of active employment by taking vacation during a notice period to extend their benefit coverage or use vacation overage that exceeds caps prior to policy change.

City of Joshua Personnel Policies and Procedures

Section 5: Leave

5.3 SICK LEAVE

Origination December 20, 2018
Revised

Regular, Full-time employees accrue paid sick leave on an hourly basis at a rate of eight (8) hours per month of service up to a maximum accrual of 480 hours. No sick leave accrues for any month in which an employee is in a leave-without-pay status for at least one half or more than the standard number of paid days for his/her employment.

A. USE OF LEAVE

Regular, Full-time employees are eligible for paid sick leave, which may be used for time off due to your illness, your routine health care appointments, and to care for a sick member of your immediate family.

Immediate family, for this purpose, shall be defined as husband, wife, son, daughter, mother, father, grandparent, brother, sister, and spouse's parents and grandparents. Immediate step relations are included for purposes of this policy.

Sick leave used properly, will seldom be questioned. However, employees who are frequently absent from work or absent for more than three days will be required to submit a physician's statement to your supervisor or Department Head to explain sick leave use.

Excessive use or improper use of sick leave may be subject to disciplinary action up to and including termination. A pattern of absences on Mondays and Fridays may be interpreted as an abuse of sick leave and lead to a supervisory investigation as to the reasons for the absences.

B. NOTIFICATION

Employees who are ill and unable to report to work must contact their supervisor and speak directly to them at the earliest possible opportunity, but at least two (2) hours prior to the start of the work shift. Employees who call in within 2 hours of the start of his/her work shift must submit a physician's statement for that shift or shall use accrued vacation leave. If the employee has no accrued vacation leave, the employee shall take time off without pay. Be sure to check with the supervisor to determine what the procedure is for using sick leave in your department.

There will be no compensation for unused sick leave time termination, resignation, or retirement.

City of Joshua Personnel Policies and Procedures

Section 5: Leave

5.4 SHARED SICK AND VACATION DONATION

Origination December 20, 2018
Revised

The purpose of this policy is to outline provisions where employees may donate available sick and vacation hours to the benefit of another employee who has a catastrophic medical condition, resulting from a non-work-related injury or illness, or a member of the immediate family residing in the primary residence. Shared sick or vacation leave may not be used for maternity leave for a healthy baby delivery.

A. RESPONSIBILITY

City Manager: It is the responsibility of the City Manager to review, consider, approve or deny requests.

Human Resources Manager: It is the responsibility of the Human Resources Manager, to accept requests, interview employees regarding circumstances of need, make recommendations, and initiate the needed paperwork to assure approved requests are processed correctly, and rejected requests are documented and employees are notified. The Human Resources Department may communicate with the attending physician's office as needed to determine the best medical estimate for the person's time away from work.

Department Heads: It is the responsibility of the department heads to provide input regarding the employee's medical circumstance, projected time away, recommendations, etc.

B. DONATION LIMITS

Qualifying employees (as listed under "Receiving Allocations" below) may receive no more than 480 hours (in 40-hour increments of donation at one time, from all donating employees). If a need exists beyond the 40-hour initial donation, circumstances will be reviewed and considered again for additional hours.

Employees who wish to donate hours of available sick or vacation to the benefit of another employee who is catastrophically ill or who is caring for an immediate family member in the home who is catastrophically ill may donate if:

1. He/She has been employed with the City for at least six months.
2. He/She has at least forty (40) hours of benefit remaining in the benefit from which they are donating (vacation/sick) following donation.
3. The employee may donate no more than 24 hours to the employee who has been approved to receive hours.

C. RECEIVING AND DONATING

Employees may be eligible to receive donations if:

1. A physician has documented the need for the employee to be off beyond the expiration of the employee's available vacation/sick/comp or any other benefit hours.
2. The need to be off qualified under the provisions of the Family Medical Leave Act both in the medical necessity, length of service provisions, and maximum allocated hours.
3. The employee has not already received the maximum allowable 480 hours of time.
4. The employee has not been given written discipline or verbal warning (as documented by the department head) about the abuse of vacation or sick leave benefits in the prior 12 months.
5. The maximum number of hours an employee may receive during employment with the City of Joshua is 480 hours.
6. Procedures to apply to receive vacation hour donations from others:
7. Notify Human Resources of the appropriate form and provide physician documentation. Physician documentation will be required that specifies the best medical estimate of the time to be missed.
8. Complete and return request form to Human Resources.
9. Wait for the notification.
10. Procedures to donate:
11. Review vacation balance on a most recent pay stub to establish if there are enough available hours.
12. Complete the donation form and submit it to Human Resources.
13. Wait for notification via email from Human Resources regarding your donation.

D. OTHER PROVISIONS

The value of donations will be calculated at the value of the receiving employee's rate of pay.

Employees who have a catastrophic medical condition as a result of a work-related injury or illness are referred to the provisions of the Worker's Compensation regulations and are not eligible to receive donated shared vacation or sick leave.

City of Joshua Personnel Policies and Procedures

Section 5: Leave

5.5 BEREAVEMENT LEAVE

Origination December 20, 2018

Revised October 21, 2021

The City provides employees hired in regular full-time positions with paid bereavement leave. Other employees may be granted unpaid time off if approved by their supervisor. The intended purpose is to allow an employee time off to attend to the immediate needs resulting from the death of their family or their spouse's family.

A. ELIGIBILITY AND DOCUMENTATION

Department Heads may authorize up to five (5) days of bereavement leave to attend the funeral and make necessary arrangements due to the death of their current spouse, child, parent, former guardian, sibling, step-parent or child, step-brother or sister, grandparent, or grandchild. To be eligible for bereavement leave, the employee must generally attend the funeral of the deceased.

Employees are allowed three (3) days off from regularly scheduled duty with regular pay in the event of the death of the employees' brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, or first cousin. To be eligible for bereavement leave, the employee must generally attend the funeral of the deceased relative.

Employees are allowed up to four (4) hours of bereavement leave to attend the funeral of a fellow regular employee or retiree of the City, provided such absence from duty will not interfere with normal operations of the City.

The City may require proof of death, funeral, and/or family relationship in support of bereavement leave.

B. BEREAVEMENT LEAVE APPROVAL AND PAY

Employees who wish to take bereavement leave must notify their department supervisor immediately. Authorization is not automatic. Employees must make sure they have the necessary authorization before taking leave. All bereavement leave time taken must be recorded in the City's payroll system.

C. ADDITIONAL LEAVE

If additional time off is requested and approved or if time off is needed for a death not covered by this policy, employees may use accrued compensatory and vacation leave. If no vacation time is available, the department head may approve the use of leave without pay or sick leave.

City of Joshua Personnel Policies and Procedures

Section 5: Leave

5.6 JURY DUTY LEAVE

Origination December 20, 2018
Revised

Jury duty leave with pay will be given to any regular full-time employee who has been called to jury duty.

Part-time or Seasonal employees called to jury duty will be allowed time away from work to attend jury duty but the time away will be without pay.

An employee called to jury duty should immediately notify his supervisor and present documentation from the court. Any remuneration received by the employee from the court for jury duty service is the property of the employee.

City of Joshua Personnel Policies and Procedures

Section 5: Leave

5.7 MILITARY LEAVE

Origination December 20, 2018

Revised August 19, 2021

The City of Joshua complies with all state and national laws relating to employees in reserve or active military service and does not discriminate against employees who serve in the military. The City strongly supports its employees who serve in state and national military units and recognizes that the skills, leadership, discipline, and teamwork experience acquired during military service can enhance their service to the City and its citizens. Accordingly, the City provides a number of military leave benefits, including paid leave.

A. ELIGIBILITY

This policy covers regular full-time and part-time employees who serve in the uniformed services in a voluntary or involuntary basis, including active duty, active duty for training, initial active duty for training, inactive duty training, and full-time National Guard duty. However, temporary, seasonal, and other employees who have brief or non-recurrent positions with the City and who have no reasonable expectation that their City employment will continue indefinitely or for a significant period of time are generally not eligible for paid military leave beyond the fifteen (15) days of annual paid military leave, reemployment rights, or any other military leave benefits under this policy. Temporary employees will be given authorized leave without pay for this purpose.

B. NOTICE TO THE CITY

Employees who will miss work due to military service must provide Human Resources and their supervisor with as much advance notice as possible. Absent unusual circumstances such notice must be given to the City no later than twenty-four (24) hours after the employee receives the military orders. To be eligible for paid military leave, employees must submit their written military orders setting forth the purpose of the leave and, if known, its duration.

C. PAID LEAVE

Most employees are eligible for paid military leave, as follows:

1. **Annual Paid Military Leave - Full Pay for Up to 15 Days.** All eligible employees will be paid for military absences of up to fifteen (15) workdays per fiscal year (October 1 through September 30). Shift employees may be transitioned to a 40-hour workweek during military absences in accordance with applicable state law. This paid leave may be used for National Guard or U.S. armed forces reserves training or duty ordered or

approved by proper military authority. The fifteen (15) paid leave days may be consecutive or intermittent throughout the year.

2. **Supplemental Paid Military Leave - Partial Pay for Up to one hundred eighty (180) Days.** If a regular full-time employee's authorized military duty extends beyond the fifteen (15) days of annual paid military leave in a fiscal year because of war or a national or state emergency, upon written request by the employee, the City may, at the City Manager's discretion, pay the employee the difference between the employee's current regular City base pay and his/her military pay, for up to a maximum of one hundred eighty (180) calendar days. This additional compensation will be limited to employees who: have successfully completed their initial new hire probationary period; are in good standing as determined by the City; are not on administrative leave pending disciplinary action; and who have timely submitted satisfactory military pay verification to Human Resources. This partial pay benefit will normally be authorized only once during an employee's tenure with the City.
3. **Employee's Own Paid Leave Accruals.** Employees who are not eligible for paid military leave or who have exhausted all available paid military leave may, at their option, use their vacation, compensatory, and holiday balances, if any, to cover their absence from work.

D. UNPAID LEAVE

Employees are granted all military leave to which they are legally entitled. After an employee has exhausted all available paid military leave (including any paid leave accruals the employee chooses to use to cover a military absence), the employee will be placed on leave without pay for up to 5 years (or longer under certain conditions).

E. OTHER BENEFITS

The City will continue to provide employees on paid military leave with most City benefits:

1. **Group Insurance.** While on paid military leave (or any unpaid military leave of 30 or fewer days), the City will continue to pay its portion of the employee's monthly premium for group health insurance along with any City-provided basic life insurance, if any. When military leave is unpaid, employees may elect to continue their group health coverage under COBRA for up to twenty-four (24) months following the separation of employment or the expiration of reemployment rights, whichever event occurs first, for themselves and their eligible dependents. (Employees must pay 102% of the applicable premium to cover the cost of elective continuation coverage under the City's group health

plan.) Upon return to employment following military service, the City will provide group health insurance coverage immediately, even if a waiting period is normally required for new or returning employees. In addition, returning employees will not be subjected to exclusions from group health coverage unless the exclusions apply to injuries or conditions arising out of military service covered by the military's health plan.

2. **Accrual of Paid Time Off & Other Benefits.** While on paid military leave employees continue to accrue vacation, sick leave, and other benefits provided to other similarly situated employees on paid leave. While on unpaid military leave, employees are generally ineligible for most City-provided benefits. For example, benefit accruals, such as vacation and sick leave, do not accrue while an employee is on unpaid leave, including unpaid military leave. Benefit accruals will resume when the employee returns to active employment. Employees returning to work following military leave are treated as though they were continuously employed for purposes of determining benefits based on length of service, such as vacation accrual and longevity pay.
3. **TMRS.** Typically, an employee's active duty military service is counted as covered service for purposes of eligibility, vesting, and benefit accrual. To qualify for service credit, employees must: return to work for the City within ninety (90) days after discharge; receive an honorable discharge; and timely complete the necessary application. In order to receive monetary credit, an employee has the lesser of five (5) years or three (3) times the period of military service to make up missed contributions. If employees make up their missed contributions, the City will make up any matching contributions. This is only a summary of provisions governing TMRS eligibility, benefits, and contributions. Please contact Human Resources or TMRS for more information.

F. RETURN TO WORK FOLLOWING LEAVE

1. **Reemployment Rights.** Employees returning from military service will normally be re-employed in their previous or a similar position. Federal law requires that employees returning from military leave be rehired in the position they would have had if they had been continuously employed. Since most City jobs and promotions are not awarded based on seniority, it is impossible to know what job employees might have had if they had been continuously employed. This means most employees returning from military leave will typically be restored to the job they had at the time they left for leave. The City will make reasonable efforts to enable returning employees to refresh or upgrade their job skills.
2. **Deadline to Notify HR of Intent to Return to Work.** Deadlines for employees to return to work and/or notify Human Resources of their intent to return to work depend

upon how long their military service lasted:

- i. If less than thirty-one (31) days, employees have one business day following their return home after completion of service to report for their next scheduled work period.
 - ii. If between thirty-one (31) days and one hundred eighty (180) days, employees have fourteen (14) days following their release from service to apply for reemployment.
 - iii. If more than one hundred eighty (180) days, employees have ninety (90) days following their release from service to apply for reemployment.
 - iv. These deadlines may be extended for two (2) years or more for employees who suffer a service-related illness/injury that prevents them from applying for reemployment or when circumstances beyond their control make reporting within the time limits impossible or unreasonable. While employees will be granted the time periods set out above to report back to work/apply for reemployment, the City's supplemental paid military leave benefits will only be paid for time periods of actual military service.
3. **Required Documentation.** Employees returning from military leave must provide Human Resources with documentation as to the length and character of their military service. Also, evidence of discharge or release under honorable conditions is required if leave exceeded thirty-one (31) calendar days.
4. **Reemployment Entitlements.** Employees who serve in the military for more than six (6) months will not be discharged without cause during the one (1) year period after reemployment. Employees who serve between one (1) and six (6) months will not be discharged without cause for six (6) months following reemployment. Employees who serve thirty (30) days or less are given no protection under federal law from discharge without cause.
5. **Changed Circumstances.** If the City's circumstances have changed to such an extent that it would be impossible or unreasonable to reemploy an employee, the City has no legal obligation to reemploy that employee following their return from military leave. For example, a reduction-in-force that eliminates the position held by an employee returning from leave excuses the City from its obligation to reemploy the employee. In addition, the City is not required to make efforts to assist returning employees in becoming qualified for reemployment or to make accommodations for employees who suffered service-related disabilities when such efforts or accommodations would impose an undue hardship on the City.

6. **Time Limits.** There is a five (5) year limit (with some exceptions) on the cumulative length of time a person may serve in the military and remain eligible for reemployment with the City.

G. COMPLIANCE WITH USERRA

If any part of this policy conflicts with the Uniformed Services Employment and Reemployment Act (USERRA) or other applicable law, then this policy will be modified to ensure it follows the law.

City of Joshua Personnel Policies and Procedures

Section 5: Leave

5.8 MODIFIED DUTY

Origination December 20, 2018

Revised October 21, 2021

The City may make modified/light duty assignments available to employees with an illness, injury, or medical condition who are unable to perform their regular job duties. The decision to offer an employee a light-duty assignment is made at the City Manager's sole discretion or their designee. A light-duty assignment may be in the employee's own or another department in the City. In making light-duty assignments, the City will normally give priority to employees whose injury or illness is work-related.

Factors considered by the City in making its decision include, but are not limited to:

- The nature of the employee's illness, injury, or medical condition;
- The medical release provided in support of light-duty and restrictions, if any;
- The risk that a light-duty assignment may result in aggravation of the employee's condition;
- The type of light-duty work available;
- The length of time necessary for the light-duty assignment;
- The length of the employee's employment with the City;
- The employee's performance and disciplinary history; and
- Whether the condition occurred on or off duty.

A. RESTRICTIONS AND RELEASE FROM LIGHT-DUTY

Employees who are released for and given a light-duty assignment may not perform work duties in violation of their medical release. Violation of the terms/restrictions of the medical release by the employee while on light duty assignment will subject the employee to possible disciplinary action and loss of the light-duty assignment.

Light duty will not extend beyond twelve (12) workweeks from the date of release to light duty by the employee's treating physician. Employees still unable to return to regular duty after that time must re-qualify for limited duty thorough evaluation by their treating physician and a recommendation from the Department Head and Human Resources to the City Manager. Only the City Manager may approve an extension of a light-duty assignment.

An employee who is released for and offered light duty by the City while on Workers' Compensation but who elects not to accept such an assignment, will be ineligible to use any accrued sick leave benefits and salary continuation benefits under the City's Workers' Compensation Policy, but may

still be entitled to unpaid leave under the City's FMLA policy.

An employee who is released for and offered light duty by the City for any other illness/injury but who elects not to accept such an assignment will be ineligible to use any accrued sick leave benefits, but may still be entitled to unpaid leave under the City's FMLA policy. The only the exception would be if no light duty assignment could be found or if approved by the City Manager.

During a light-duty assignment, employees will typically work an 8-hour workday, Monday through Friday. This means that the 24-hour shift employees, as well as other employees who work a non-traditional schedule, will usually be temporarily reassigned to an 8 or 9-hour workday, Monday through Friday, for the duration of their light-duty assignment.

All light-duty requests and assignments will be reviewed and coordinated through Human Resources. Human Resources will work with the employee's department in making its decision. Before returning to regular job duties following a light-duty assignment, the employee must coordinate their return through Human Resources.

City of Joshua Personnel Policies and Procedures

Section 5: Leave

5.9 MENTAL HEALTH LEAVE FOR PEACE OFFICERS& FIREFIGHTERS

Origination August 19, 2021
Revised

The purpose of this policy is to provide guidance in accordance with Chapter 614.015 of the Local Government Code regarding paid mental health leave for full-time licensed peace officers and firefighters employed by the City of Joshua who experience a traumatic event while on duty. The City of Joshua recognizes the impact traumatic events have on the mental health of our peace officers and firefighters.

A. ELIGIBILITY

A full-time licensed peace officer or firefighter who is employed by the City of Joshua Police Department is eligible for mental health leave if they experience a traumatic event while on duty. The traumatic event must involve extreme injury, near-death, or death of an individual, or other similarly stressful situations, experienced by the peace officer and firefighter while on duty.

B. CONDITIONS

A peace officer or firefighter shall be allowed up to three (3) days of paid mental health leave per calendar year, subject to the following conditions: (1) the leave is (a) approved by the Police or Fire Chief based upon the information provided to the department administration after the traumatic event or by the Chief's next in command if the Chief is unavailable; or (b) ordered by a mental health professional; and (2) the leave is taken as a result of a traumatic event that occurred while on duty. For the purposes of this policy, "day" is defined as an eight (8) hour shift for peace officers and a twelve (12) hour shift for firefighters.

C. PROCESS

1. The peace officer or firefighter will contact the Police or Fire Chief and request the use of mental health leave in order to obtain mental health assistance.
2. The Police or Fire Chief will consult with Human Resources and, upon granting the leave, will allow mental health leave up to three (3) days away from work for this assistance, subject to the annual maximum leave per calendar year.
3. The time missed by the peace officer or firefighter while on mental health leave will be covered by other peace officers or firefighters, and no reason for the initial officer's absence will be noted.

D. ANONYMITY

The City will keep requests to take mental health leave and any medical information related to mental health leave under this policy confidential to the extent allowed by law and separate from their general personnel file. The City cannot guarantee the anonymity of information that is otherwise public or necessary to carry out the City's duties under the law. The hours away from work will be noted on the timesheet as regular hours to provide anonymity. However, there will be notes placed in the employee's separate medical file to provide a record of the time away as well as a historical record that the leave was granted.

E. EFFECT ON PAID LEAVE BALANCES

The City will not reduce an eligible peace officer's or firefighter's sick leave, vacation leave, holiday or other paid leave balance for mental health leave taken under this policy.

City of Joshua Personnel Policies and Procedures

Section 5: Leave

5.10 ADMINISTRATIVE LEAVE WITH AND WITHOUT PAY

Origination October 21, 2021
Revised

The City Manager may grant up to four (4) weeks of Administrative leave (with or without pay) when such leave is in the best interest of the City of Joshua. Examples (not an exhaustive list) of the use of such leave would be to allow senior management time to investigate a matter of employee conduct or to allow an employee time to resolve a matter of significant personal business.

A Department Head who wishes to request administrative leave with or without pay should make a written request to the City Manager's office stipulating the amount of leave requested and the reasons for the request.

It is the responsibility of the Department Head and City Manager's office to advise Human Resources when administrative leave has been granted and the related circumstance. The Human Resources Department will assure related documentation is made and the Finance Director is notified, if necessary.

During an approved unpaid leave of absence, the City will continue to pay its usual contributions toward an employee's benefits; however, the employee is responsible for paying any benefit premiums that would normally be deducted from their paycheck. Arrangements should be made with Human Resources for paying such premiums prior to the employee's leave.

City of Joshua Personnel Policies and Procedures

Section 5: Leave

5.11 PUBLIC SAFETY QUARANTINE LEAVE

Origination August 19, 2021
Revised

The purpose of this policy is to provide guidance in accordance with Chapter 180.008 of the Local Government Code regarding paid quarantine leave for firefighters, peace officers, detention officers, and emergency medical technicians employed by the City of Joshua who are ordered to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty. The City of Joshua recognizes that employee health and safety are important. The City supports establishing a workplace that is comfortable, healthy, safe, and supportive.

A. DEFINITIONS

"Detention officer" means an individual appointed or employed by the City as a jailer or other individual responsible for the care and custody of individuals incarcerated in the municipal jail.

"Emergency medical technician" means an individual who is employed by the City and certified as an emergency medical technician under Chapter 773, Health and Safety Code.

"Firefighter" means a paid employee of the City's fire department who:

- a. Holds a position that requires substantial knowledge of fire fighting;
- b. has met the requirements for certification by the Texas Commission on Fire Protection under Chapter 419, Government Code; and
- c. performs at least one of the following functions:
 - i. Fire suppression;
 - ii. Fire prevention;
 - iii. Fire training;
 - iv. Fire safety education;
 - v. Fire maintenance;
 - vi. Fire communications;
 - vii. Fire medical emergency technology;
 - viii. Fire photography;
 - ix. Fire administration; or
 - x. Fire arson investigation.

"Health authority" has the meaning assigned by Section 121.021, Health and Safety Code.

“Paid quarantine leave” means: (1) all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits provided by the City; and (2) if applicable, reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation costs.

"Peace officer" means police officers described by Article 2.12, Code of Criminal Procedure, who are employed by the City.

B. POLICY

A City of Joshua firefighter, peace officer, detention officer, or emergency medical technician who is ordered to quarantine or isolated by the person’s supervisor or the City’s or Johnson County’s health authority due to a possible or known exposure to a communicable disease while on duty is entitled to receive paid quarantine leave for the duration of the leave.

City of Joshua Personnel Policies and Procedures

Section 6: Benefits

6.1 EMPLOYEE ASSISTANCE PROGRAM

Origination December 20, 2018
Revised

An employee who seeks services by a treatment program other than the City's Employee Assistance Program is encouraged to check with his/her medical carrier to determine the availability and level of insurance coverage for such services. There are a number of drug/alcohol treatment programs available. An employee who wants to know more about the Employee Assistance Program and its services may contact Human Resources or may call the Employee Assistance Program directly.

City of Joshua Personnel Policies and Procedures

Section 6: Benefits

6.2 EMPLOYEE BENEFITS

Origination December 20, 2018
Revised

A. MEDICAL BENEFITS

The City makes comprehensive group medical coverage available to every Regular Full-time employee and pays the premium toward such single coverage for as long as an employee is eligible and enrolled. Newly hired employees should enroll themselves and their eligible dependents (if desired) for medical coverage within 30 days of hire. Once enrolled, an employee and his/her dependents are covered after 60 days of employment. When you enroll for medical coverage and also elect coverage for your dependents, you will be responsible for paying the full premium for the dependent coverage. The premium for dependent coverage will be deducted from your paycheck twice each month.

Specific and complete details of the City's medical plan are available in plan booklets supplied to you by the Human Resources Department.

The City may elect to pay up to \$100.00/month in the form of an "off-set stipend" to a qualifying employee that has health insurance coverage from another source other than the City of Joshua if the employee chooses to use the other insurance in lieu of insurance with the City. The amount will be determined annually and is subject to budgetary considerations. This pay is subject to federal taxes. This benefit may be canceled at any time.

B. GROUP LIFE INSURANCE

Group life insurance coverage, including accidental death and dismemberment coverage, is provided to all Regular, Full-time employees. The City pays the full premiums. For further information, refer to the Group Life Insurance Policy in the Human Resources Department.

C. DENTAL INSURANCE

Dental insurance is available to Regular Full-time employees and their dependents if desired. The City pays the full premium for Regular Full-time employees. The premium for dependent coverage will be deducted from your paycheck twice each month.

Specific and complete details of the Dental Plan are available in the Human Resources Department.

D. WORKERS' COMPENSATION COVERAGE

If you are injured as a direct result of the duties performed in the course of your employment with the City, you may be eligible to receive Workers' Compensation benefits under the Workers' Compensation Insurance plan. Such a plan is required under state law and covers the cost of hospitalization, physician fees, drugs, treatment, and other related expenses.

E. UNEMPLOYMENT COMPENSATION

The City of Joshua provides unemployment insurance benefits to all employees as required by law.

F. TEXAS MUNICIPAL RETIREMENT SYSTEM

The City of Joshua is a member of the Texas Municipal Retirement System (TMRS). Participation in the system is mandatory for all Regular, Full-time employees. There is no maximum age for participation in TMRS. Employees contribute 7% of their gross incomes, which are not taxable until withdrawn. The City contributes the required amount to your retirement account.

The purpose of the retirement system is to provide adequate and dependable retirement benefits for employees retiring from Texas Municipalities. Each member City chooses from various TMRS options to tailor its retirement plan to meet local needs and circumstances. Handbooks detailing this plan are available in the Human Resources Department.

G. SOCIAL SECURITY

The City of Joshua does not participate in Social Security. If you retire under both Social Security and a local government retirement plan such as TMRS, with a City that does not participate in Social Security, your Social Security benefit may be lowered or offset. For more information contact your local Social Security office.

H. MEDICARE

Employees are required to make a contribution toward Medicare in compliance with federal law. The City matches the employee's contribution with an amount equal to the employee's contribution.

I. CONTINUATION OF GROUP MEDICAL BENEFITS

In accordance with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), you and your eligible dependents may have your group medical benefits continued beyond the date they would normally be scheduled to end. In order to have your coverage continued, you must notify the Human Resources Department no later than 60 days after the day coverage is scheduled to end. You will be charged the full premium plus administrative costs.

There are strict rules about when you can use COBRA. COBRA lets an eligible employee and dependent choose to continue their health insurance when a "qualifying event" happens. Qualifying events include the employee's resignation, termination, leave of absence, shorter work hours, divorce, legal separation, or death. Another qualifying event is when a dependent child stops being eligible for coverage under your health insurance.

If your coverage ends because of termination (other than for gross misconduct), reduced hours of employment, retirement, or disability, you and your family can extend medical plan benefits until the earlier of:

- i. 18 months from the date your coverage is scheduled to end
- ii. The last day for which you have paid the required premium
- iii. The date of cancellation if the medical plan is canceled for all City employees;
- iv. The date you become covered for the same medical expenses under another group policy.

An additional 11 months of coverage may be continued if you or your dependents are disabled on the date continuation coverage begins and you are determined to be eligible for Medicare.

Your spouse and dependents can also independently extend their coverage at their own expense even if you do not do so. In addition, if your spouse's and dependents' coverage ends due to your death, divorce, legal separation, or loss of dependent status, they can elect to continue coverage until the earlier of:

- i. 36 months from the date coverage is scheduled to end
- ii. The last day for which the required premium was paid
- iii. The date of cancellation if the medical plan is canceled for all City employees.

The date one becomes covered for the same medical expenses under another group policy.

Your spouse/dependent must contact Human Resources no later than 60 days of the effective date of the divorce or loss of dependent status in order to continue health insurance coverage.

City of Joshua Personnel Policies and Procedures

Section 7: General Rules and Conduct

7.1 HARASSMENT AND DISCRIMINATION

Origination December 20, 2018
Revised

The City of Joshua is committed to providing a work environment that is free of unlawful discrimination, harassment, and intimidation. This policy applies to all City employees, citizens, vendors, and visitors to the workplace. City employees are entitled to a workplace free of unlawful discrimination and harassment by management, supervisors, co-workers, vendors, and citizens. Employees are also required to refrain from prohibited discrimination and harassment of citizens, employees, and vendors.

A. POLICIES AND PROCEDURES

Discrimination, sexual harassment, and other forms of unlawful harassment are contrary to basic standards of conduct between individuals and are prohibited by federal and state law. Any employee who engages in any such behavior will be subject to corrective action up to and including termination of employment. Because of the City's strong disapproval of such inappropriate behavior, all employees must avoid any action, conduct, or behavior that could be viewed as discriminatory or harassing behavior.

No retaliation will be permitted against employees who make a good faith charge or report of prohibited discrimination or harassment.

B. DEFINITION OF SEXUAL HARASSMENT

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

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

Examples of prohibited conduct include unwelcome discussion of sexual activities, touching, display of sexual activities, and display of sexually explicit or suggestive pictures or cartoons, use of sexually

suggestive gestures, sexual remarks about physical attributes, unwelcome propositions, profanity, and off-color jokes.

C. OTHER FORMS OF PROHIBITED HARASSMENT

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based on a person's race, color, national origin, religion, age, sex, disability, genetic information, or veteran's status and impairs another employee's ability to perform the duties of their job. Examples of prohibited conduct include, but are not limited to, slurs, jokes, offensive or derogatory comments, or other verbal or physical conduct based on these characteristics. Slurs, epithets, offensive jokes, and derogatory comments have no place in the workplace. Conduct, comments, or innuendos that may be perceived by others as offensive, are wholly inappropriate and are strictly prohibited. This policy also prohibits sending, showing, sharing, or distributing in any form, inappropriate jokes, pictures, stories, etc., via facsimile, INTERNET, voice mail, e-mail, text messaging, or other electronic means.

D. COMPLAINT REVIEW PROCEDURES

Human Resources is responsible for the review of discrimination and sexual and other unlawful harassment complaints. Investigators from other departments may conduct and/or assist Human Resources with unlawful harassment complaint investigations. The procedures for handling unlawful discrimination and harassment complaints are as follows:

E. REPORTING

Any employee who feels he or she has been subjected to unlawful discrimination or harassment, who observes prohibited discrimination or harassment in the workplace, or who otherwise becomes aware of it must report it immediately to his or her Department Head. If for any reason the employee does not feel comfortable discussing the matter with the Department Head, or if the Department Head has not been able to resolve the matter satisfactorily, the employee may contact the City's Human Resources Manager, his/her designee, or the City Manager.'

Any Supervisor, Manager, or Department Head who becomes aware of possible sexual or other unlawful harassment must immediately advise the Human Resources Manager or the City Manager.

If Human Resources is initially notified of a complaint, Human Resources will immediately notify the appropriate Department Head, if appropriate. All reports of discrimination or harassment will be fully investigated immediately.

F. INVESTIGATION

Each discrimination or harassment complaint will be investigated, regardless of when it was reported. Any individual who may have knowledge of the events surrounding the complaint will be interviewed regarding the nature of the allegations and instructed not to discuss the details of the incident(s) with anyone other than the complaint investigator. Upon request, the complainant may be interviewed by a representative of the same sex. At the discretion of the investigator, interviews may be recorded in written, audio, and/or video format.

G. ADMINISTRATIVE LEAVE

When warranted, the City may place the respondent on administrative leave with pay pending completion of the investigation.

If appropriate, the respondent's Department Head will be notified of the complaint. Within ten (10) workdays of the investigation conclusion, the City Attorney and the City Manager will be provided with a determination as to the validity of the complainant's allegations. Disciplinary actions up to and including termination will be imposed upon any employee who is found to have engaged in conduct prohibited by this policy.

It will be the ongoing responsibility of Department Heads and supervisors to monitor work areas for inappropriate sexual and other inappropriate displays, comments, or behavior and take necessary action.

All records concerning sexual and other unlawful harassment investigations are to be kept in a separate locked file in Human Resources. Access shall be approved by the Human Resources Manager to only those individuals having a need to know and in a manner consistent with state and federal law.

City of Joshua Personnel Policies and Procedures

Section 7: General Rules and Conduct

7.2 POLITICAL ACTIVITY

Origination December 20, 2018
Revised

Employees shall not solicit political contributions, donations, distribute campaign literature or take part in other partisan political activity while on duty or as a representative of the city.

A. CAMPAIGNING IN LOCAL ELECTIONS

Employees shall not campaign for or against any local issue; influence the nomination, election, or defeat of any candidate for Mayor or City Council; campaign for or against a candidate for Mayor or City Council or for the recall of same. This does not prohibit the ordinary exercise of the right to express opinions or to vote.

B. CANDIDACY

An employee's ability to retain employment following the employee's candidacy for an elected public officer shall be determined according to governing state and local laws.

City of Joshua Personnel Policies and Procedures

Section 7: General Rules and Conduct

7.3 CONFLICT OF INTEREST AND OUTSIDE EMPLOYMENT

Origination December 20, 2018
Revised

It is the policy of the City of Joshua to establish that no officer or employee shall give occasion for distrust of integrity, impartiality, or devotion to the best interests of the City and the public trust held by such persons. No officer or employee shall use or attempt to use his official position to secure special advantage, privilege, or exemption for him or herself or others.

A. OUTSIDE EMPLOYMENT

To guard against a potential conflict of interest, no employee of the City of Joshua may engage in any outside employment, contract, or consultation service without first securing approval, in writing, from his or her Department Head.

B. CONFLICT OF INTEREST/CONTRACTS

Per Section 11.05 of the City Charter: “Elected officials, officers, or employees of the City having a direct or indirect interest in any proposed or existing contract, purchase, work, sale, or service to, for, or by the City shall not vote or render a decision, or use that position, authority, or influence in any manner that would result in personal betterment, financially or otherwise, to any degree. Elected officials, officers, or employees shall publicly disclose any such interest upon assumption of office or prior to consideration of any such matters. Any elected official, officer, or employee who willfully conceals such interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit the office or position. Violation of this section with the knowledge, express or implied, of the person or corporation contracting with or making a sale to the City shall render such contract or sale voidable by the City Manager or City Council.”

C. ETHICAL STANDARDS

In order to maintain the public trust in city government, an employee of the city shall not:

1. accept or solicit a benefit that might reasonably tend to influence the employee in the discharge of the employee's official duties;
2. use the employee's official position to secure special privileges or exemptions for the employee or others;

3. grant any special consideration, treatment, or advantage to a person or organization beyond that which is available to every other person or organization. This shall not prohibit the granting of fringe benefits to city employees as a part of their employment or as an added incentive to the recruitment or retention of employees.
4. disclose information that could adversely affect the property or affairs of the city, or directly or indirectly, use any information understood to be confidential which was gained by reason of city employment for the employee's own personal gain or benefit or for the private interest of others;
5. transact any business on behalf of the city in the employee's official capacity with any business entity with which the employee is an officer, agent, or member or in which the employee has a financial interest. In the event that such a circumstance should arise, then they shall make known their interest, and turn the matter over to their superior for reassignment, state the reasons for doing so, and have nothing further to do with the matter involved;
6. personally provide services for compensation, directly or indirectly, to a person or organization who is requesting an approval, investigation, or determination from the department of which the employee is a member in a decision making position;
7. receive any fee or compensation for services as an employee of the city from any source other than the city, except as may be otherwise provided by law. This shall not prohibit an employee from performing the same or other services for a public or private organization that are performed for the city if there is no conflict with the employee's city duties and responsibilities;
8. knowingly perform or refuse to perform any act in order to deliberately thwart the execution of city ordinances, rules, or regulations or the achievement of official city programs;
9. use city supplies, equipment, or facilities for any purpose other than the conduct of official city business without proper authorization; or
10. engage in any dishonest or criminal activity or any other conduct prejudicial to the government of the city or that reflects discredit upon the government of the city.

D. GIFTS POLICY

Except where otherwise allowed by law, employees are prohibited from soliciting, accepting, or agreeing to accept a gift or benefit from any person, firm, corporation, partnership, or association that transacts or solicits business of any type with the city that has a value in excess of what is considered a nominal value item (i.e. cookies, popcorn, logo caps/pencils, etc.)(See city Charter, Sec. 11.09)

At any time an employee is offered a gift or token of appreciation from a citizen, company, or any other person in contact with the city, he/she is required to report the offering to his/her department supervisor. It will be decided by the appropriate department supervisor if such a gift is appropriate or is in any fashion considered of greater than the nominal value. In addition, the department supervisor is bound to use discretion in discerning if public perception would in any way be affected by accepting the gift, regardless of value. If the department supervisor is uncertain, he/she should discuss the matter with the City Manager's office before allowing the employee(s) to accept the offered gift.

City of Joshua Personnel Policies and Procedures

Section 7: General Rules and Conduct

7.4 DRUG-FREE WORKPLACE

Origination December 20, 2018
Revised

It is the policy of the City of Joshua to maintain a work environment free from the use, possession, and effect of controlled substances and alcoholic beverages. The City of Joshua recognizes that drugs and alcohol impair employee judgment, which may result in increased safety risks, hazards to the public, employee injury, faulty decision making, and reduced productivity. Therefore, the City of Joshua expects all employees to be in a mental and physical condition fit to complete their assigned duties safely and competently. The objective of this policy is to develop a drug and alcohol-free workplace which will help ensure a safe and productive workplace.

A. POLICY AND PROCEDURES

1. Except that it is related to the employee's role as a law enforcement officer, the manufacture, distribution, dispensing, possession, sale, purchase, or use of a controlled substance or alcohol by an employee while on duty or during lunch and other breaks or at any time while the employee is on a City work site or on City work time is absolutely prohibited and constitutes cause for dismissal.
2. Entering City property or reporting to work in an unfit condition because of the use or consumption of a controlled substance or alcohol is strictly prohibited. Any employee acting contrary to this prohibition will be subject to disciplinary action up to and including discharge.
3. An exception to the possession, use, or consumption of controlled substances while on City business or City property may be granted if:
 - i. The controlled substance is prescribed for the user by a licensed physician; and
 - ii. The substance is being used as prescribed by the licensed physician.
4. All employees who are using a prescription or nonprescription drug which may in any way impact their job performance must notify their supervisor in writing as to the possible effects of such medication on the performance of their assigned duties and related physical/mental capability. The Department Head may require a doctor's statement if the employee indicates that the possible side effects may impact the performance of their assigned duties. In such instances of a temporary impediment to the safe performance of regular duties, the employee may be temporarily assigned to non-hazardous duties if such duties are available,

or allowed to take sick leave if available and then vacation leave if available or placed on leave without pay.

5. Alcoholism and other drug addictions are recognized as diseases responsive to proper treatment. Full-time and part-time employees may contact the City's Human Resources Department for help on an entirely confidential basis. The City Medical Plan Booklet specifies the level of coverage available for substance abuse treatment. The City also has an Employee Assistance Program (EAP) available to its employees.
6. The sale, use, purchase, transfer, or possession of an illegal drug or drug paraphernalia is a violation of the law. The City of Joshua will report information concerning possession, distribution, or use of any illegal drugs to law enforcement officials.

B. TESTING

Drug and/or alcohol tests shall be administered as follows:

1. To all applicants who have been extended a conditional offer of employment for any position with the City of Joshua.
2. Upon a reasonable suspicion that an employee is in violation of the drug and alcohol policy of the City.
3. After a workplace injury, accident, or "near miss".
4. Upon receipt of information that an employee has tampered with or otherwise influenced a previously administered drug or alcohol test.
5. At reasonable times and for reasonable periods during and following an employee's participation in a drug or alcohol treatment program in which the employee is or has participated as a requirement of the drug and alcohol policy of the City of Joshua.
6. As part of a random draw for those with CDL licenses.
7. Failure of the employee to submit to drug or alcohol testing will likely result in disciplinary action up to and including termination.

C. DEFINITIONS

Controlled Substance: Drugs and other substances that are considered controlled substances under the federal Controlled Substances Act.

Unfit Condition: The employee's behavior or ability to work are affected by controlled substance or alcohol, or the combination of them, in any detectable manner.

Alcohol: Any beverage containing more than one-half of one percent of alcohol by volume which is capable of use for beverage purposes either alone or when diluted.

Alcohol Test: Means testing for blood alcohol content by a breathalyzer instrument or drawing and collection of blood or serum sample and the laboratory analysis thereof.

Drug Paraphernalia: means equipment, a product, or material of any kind described in Section 1.02 of the Texas Controlled Substance Act, and inhalant paraphernalia possessed, used, or delivered in violation of the provisions of the Texas Health and Safety Code.

Drug Test: means collection of a urine specimen by medical personnel and laboratory analysis of that specimen, any additional screening, and confirmatory testing, or such other screening and/or testing as may be established based upon the then-current and appropriate technology.

Near Miss: an unplanned event that did not result in injury, illness, or damage – but had the potential to do so.

Reasonable Suspicion: means a conclusion based on personal observation of a specific objective instance of employee conduct suggesting that an employee is under the influence of a drug or alcohol.

Examples include, but are not limited to:

- Odors (smell of alcohol, body odor, or urine).
- Movements (unsteady, fidgety, dizzy).
- Eyes (dilated, constricted, or watery eyes, or involuntary eye movements).
- Face (flushed, sweating, confused, or blank look).
- Speech (slurred, slow, distracted mid-thought, inability to verbalize thoughts).
- Emotions (argumentative, agitated, irritable, drowsy).
- Actions (yawning, twitching).
- Inactions (sleeping, unconscious, no reaction to questions).

Workplace Injury: an event or exposure in the work environment either caused or contributed to a resulting condition or significantly aggravated a pre-existing injury or illness that results in one or

more days away from work, or days of restricted work, or days of job transfer that otherwise would not have occurred but for the occupational event or exposure.

D. PRE-EMPLOYMENT TESTING

All applicants for employment with the City of Joshua will be required to submit to pre-employment drug testing prior to hiring. Only applicants who have completed the interviewing and selection process and have been extended conditional job offers will be required to submit to drug testing. Any job offer that is extended to an applicant will be contingent upon negative test results.

The applicant will be requested to sign a Controlled Substances and/or Alcohol Test Authorization/Consent Release Form. If the applicant is a minor, he/she and his/her parent or legal guardian must also sign a Parental Consent and Release Form. Any applicant who refuses to sign a consent form or who refuses to undergo the drug testing will have the conditional offer revoked and will be ineligible for future employment consideration with the City of Joshua.

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7.5 CONFORMANCE

Origination December 20, 2018
Revised

Employees are required to do as they have been assigned or instructed by their supervisors. If the employee believes an instruction or order is improper, he/she should obey the instruction or order and file a complaint after carrying out the order or instruction. If the employee believes the instruction or order is illegal, or if followed would result in physical injury to the employee or others, or damage to City or public property or equipment, the employee should request approval by the next higher level of supervision before performing the work unless the danger complained about is inherent to the job. Certain jobs, such as those in public safety, are inherently dangerous and addressed by departmental policy.

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7.6 PERSONAL APPEARANCE AND DRESS CODE

Origination December 20, 2018

Revised October 21, 2021

Revised November 8, 2022

The City of Joshua is a public “service” organization; most employees are in constant contact with the public, citizens, out-of-town guests, potential new residents, the business and professional community, etc. Employees are expected to dress in a manner that is appropriate to a business environment and their specific positions that will represent professionalism and pride in the City of Joshua and the citizens they serve. In accordance with department standards or work environment, employees shall maintain a neat, clean, pressed, and well-groomed appearance, including clothing that fits properly. This policy is not intended to preclude cultural or religious customs.

This dress policy applies to all employees of the City of Joshua including full-time, part-time, temporary, seasonal, and uniformed, and non-uniformed personnel. This policy is not designed to conflict with established uniform or safety codes of individual departments. Supervisors shall administer guidelines that are appropriate for their work units and counsel their employees when necessary.

A. PERSONAL HYGIENE AND GROOMING

Along with the professional dress, employees will maintain proper hygiene and grooming. Employees will not use products or perfumes that, due to their fragrance, cause discomfort to others. Items that will not be allowed are disruptive/extreme hairstyles, unkempt or unclean hair, hair in a color or shade other than those that occur naturally, and baseball caps other than City issued or part of the employee’s uniform. Facial hair such as beards, mustaches, goatees, sideburns, etc. shall be kept clean and neatly trimmed.

B. JEWELRY AND BODY ART

Visible tattoos shall comply with the departmental policy as established by the departmental supervisor; however, no person employed by the City may visually display the following:

1. Tattoos, brands, or scarification anywhere on the body that are, indecent, or racist.
2. Tattoos, brands, or scarification of initials, acronyms, or numbers that represent criminal activity, extremist organizations, or gang activity.
3. Sexist, racist symbols, words/markings, or other symbols, words, or markings that

commonly or are likely to elicit a strong negative reaction in the workplace or public or that are inconsistent with the City's values or community relations objectives.

4. Illustrations, references, symbols, acronyms, or the like that denigrate the United States or any subdivision of the government.
5. Tattoos, brands, or scarification which depict the use or promotes the use of illegal drugs or drug paraphernalia, as prohibited by state law and/or federal law.

No tongue rings, brow rings, facial piercings, ear gauges, or visible belly-button rings are permitted. Persons who have facial piercings or ear gauges upon hire will be required to plug or cover these items during work hours. Department management will work with the employee to approve the appropriate cover for such items. Religious accommodations may be made for some form of body jewelry or piercing but will be discussed with department management and human resources should a religious accommodation be requested by the employee.

The City Manager or designee will make the final determination, in accordance with this policy, as to whether a tattoo, body art, or brand complies with this policy.

C. UNIFORMS

City employees may be required to wear uniforms in the performance of their duties as determined by the department head or City Manager. This may include jeans, shirts, caps, rain gear, all-weather jackets, and steel-toed boots. Special equipment as provided by the police and fire department will be issued according to department policy. Employees should consult departmental policies for any specifics regarding uniform requirements.

Steel-toed boots will be purchased as needed for the employees to a maximum determined by the department. Anything more than the department maximum shall be paid by the employee to the vendor at the time of purchase. If an employee resigns or is terminated before the completion of their probationary period, the employee shall reimburse the City for the boots through a payroll deduction on their final paycheck.

Uniforms are the property of the City and all employees are responsible for proper care and use. An employee shall refrain from wearing any portion of the employee's uniform, which displays the City's logo, except when on duty or representing the City, or in route to or from such duty. An employee shall refrain from wearing any attire while off-duty that identifies the person as an employee of the City while engaging in conduct or activity that would discredit the City or the employee.

D. RETURN OF CLOTHING UPON SEPARATION OF EMPLOYMENT

A separating employee will return all City-issued articles before receiving their final paycheck. Any employee who willfully damages or destroys any part of a City-issued uniform must reimburse the City for those items damaged or destroyed. Employees are required to keep uniform articles clean and in good repair. A Department Head may authorize the person to retain certain items that do not contain City logos, are worn beyond use or are determined to have no value to the City.

E. ATTIRE STANDARDS

Generally, staff who work indoors or in an office are required to wear business casual dress, including jeans (well fitted with no holes, inappropriate markings) and well-kept sneakers. At all times employees are to be dressed professionally..

Business professional or City-sanctioned work attire is preferred to present a professional appearance for meetings, special events, presentations, council meetings, or when representing the City on special occasions.

Appropriate underclothing/undergarments must be worn at all times and undergarments must not be visible to others.

Unusual circumstances, such as weather conditions, special work assignments, medical reasons, worksite conditions, and/or non-normal working hours and situations, may be sufficient reasons for the Department head to grant exceptions to the dress standards.

Examples of inappropriate attire:

- Shorts (except for shorts as part of a uniform)
- Low-rise or hip-hugger pants or jeans
- Sweatpants, leggings, or exercise wear
- T-shirts or Sweatshirts (holiday monogrammed, or silk-screened sweatshirts/T-shirts are allowed during the holiday season)
- Tank tops or spaghetti straps of any variety
- Dresses, skirts, skorts, split skirts shorter than 4" above the knee
- Crop tops or clothing that exposes the midriff
- See-through or excessively tight clothing
- Capris shorter than mid-calf (hem should hit midway between knee and ankle)
- Low-cut, backless, shoulder-less dresses
- Stirrup-pants/leggings unless covered by a top

- Clothes that do not fit properly (too tight or too baggy)
- Clothing not in good condition (faded, frayed, having tears or holes)
- Sneakers (other than on Fridays), Flip Flops, floppy shoes of any kind, and Croc-like sandals
- Any clothing designs that could be perceived as offensive are prohibited at work

F. EXCEPTIONS TO THE DRESS CODE POLICY

The dress code guidelines will govern normal work situations; however, there may be instances where exceptions may be made such as moving, office reorganization, etc. Supervisors are responsible for ensuring their employees are not abusing the casual dress code policy for the City to maintain a professional and appropriate working environment and appearance.

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7.7 CONTACT WITH THE PUBLIC AND THE MEDIA Origination December 20, 2018 Revised

A. CONTACT WITH THE PUBLIC

Employees are the ambassadors of the City to all they meet. Employees should be courteous, polite, and helpful. Employee behavior and attitude should reflect a professional, positive image of the City. If the help that is needed is “not your job” try to find the people or direct the person to the right people to assist them.

If an individual is asking about the policies and opinions of the City, direct them to your supervisor. The employee is not there to defend or judge the job they have been assigned to do.

B. MEDIA

In general, contact with the media is centralized to the City Manager as Public Information Officer (PIO), or his/her designee. Media contact dealing with Police or Fire department business goes through the appropriate department’s PIO. If an employee is contacted by a member of the media, the employee needs to refer them to the appropriate PIO.

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7.8 SOCIAL MEDIA (EXTERNAL)

Origination December 20, 2018
Revised

In an effort to communicate with a larger audience, the City of Joshua, Texas maintains various types of social media applications. By accessing these applications, you are agreeing to the terms and conditions as stated below.

A. FACEBOOK

You can become a Fan of the City of Joshua's Facebook pages.

The City of Joshua intends to promote effective communication and maintain a respectful dialogue. In that spirit, the rules for posting external comments on Facebook are intended to maintain a productive and open forum for community discussion. Our moderators use these rules to ensure that posted comments are constructive and suitable for all readers while respecting a range of opinions and points of view.

Moderation will take place during the City of Joshua's normal business hours. Posted information and comments on City of Joshua Facebook pages must comply with the following regulations:

- Comments must be civil and may not contain slanderous, libelous, malicious, offensive, threatening, profane, or insulting language.
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation is not permitted.
- References to the personality of individuals, personal attacks, or potentially libelous statements are not permitted.
- Advertising or promotional announcements are not permitted.
- Comments must be within the scope of the topic under discussion.
- Comments cannot include personally identifiable information, such as an address, phone number, social security number, or other sensitive information.
- Comments of a sexual nature or links to sexual content are not permitted.
- Comments cannot represent a person other than the one posting the comment.
- Comments containing links to other websites or pages must be relevant to the topic.
- Comments cannot serve electoral campaign purposes. Political messages will not be published except for announcements of City elections or voter encouragement campaigns.
- Comments encouraging illegal activity are not permitted.

- Solicitations of commerce are not permitted.
- Participants are responsible for what they post. Comments must not breach any law, confidentiality, or copyright.
- The administrator/moderator may remove any and all postings and comments at the administrator/moderator's sole discretion.

Comments by external parties on City of Joshua's Facebook pages are not official public testimony concerning any project or program. An opinion expressed on a City of Joshua Facebook page is posted for discussion only and is not a substitute for a formal statement in a public hearing process. The City of Joshua does not necessarily agree with content posted by City of Joshua Facebook Fans. Nothing in any Facebook page constitutes a binding representation, agreement, or endorsement on the part of the City of Joshua. The City of Joshua will delete any comment that violates this agreement and users will be blocked and/or reported to Facebook. In addition to this agreement Fans who also violate Facebook Terms and Conditions will be reported to Facebook and blocked from the City of Joshua's Facebook pages. The City of Joshua's Facebook accounts is hosted by Facebook. Therefore in addition to this agreement, said accounts are also governed by a separate Privacy Policy and Statement of Rights and Responsibilities.

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7.9 SOCIAL MEDIA (INTERNAL)

Origination December 20, 2018
Revised

A. PURPOSE

Social media and Web 2.0 refer to Internet-based technology communication tools that facilitate an environment for immediacy, interactivity, user participation, and information sharing in multiple ways. Social media tools help citizens interact with their local government in the individual's preferred method and time schedule. A social networking presence has become a popular tool for vibrant and transparent communication and reaches those that do not consume traditional media as frequently as other segments of the population. Social media applications may include, but are not limited to, Facebook, Twitter, YouTube, and Flickr.

City of Joshua departments may consider utilizing social media outlets to share information about the City and its programs and services. Social media outlets can reach a broader audience and further enhance communication with citizens and stakeholder organizations in support of the City's goals and objectives.

B. POLICY

All-City of Joshua social media sites shall be created and approved by the City Manager to meet the following purposes:

- To provide Joshua residents, businesses, and visitors with information about City activities, events, and other important issues.
- To promote the positive aspects of Joshua to those in and outside the community.

All social media sites will be administered by the City Manager or his/her designee.

The City Manager will oversee and confirm all decisions regarding social media applications including:

- Authorization of sites.
- Content of sites.
- Evaluating requests for separate sites.
- Maintaining a list of social media domains, account logins, and passwords.
- Changing passwords if an employee is removed as an administrator/moderator in order to maintain agency control.

Under certain circumstances, a City department may wish to create and maintain a separate social media site that is department-specific. Departments wishing to create separate social media sites must receive approval from the City Manager before implementing a department-specific social media site. Departments must provide specific justification for maintaining separate social media sites. If approved, the City Manager will work with requesting department to create the site. The City Manager will review the site from time to time and those that do not meet the City's intended goals and objectives may be removed.

Every City Department is encouraged to use social media tools to communicate with the public.

All City-related communication through social media outlets should remain professional in nature and should always be conducted in accordance with the City's communications policy, practices, and expectations. Employees should be mindful that inappropriate usage of social media can be grounds for disciplinary action.

Social media use is for business communication for the City of Joshua and its departments and for the purpose of fulfilling job duties, in accordance with City goals and objectives, not for personal use.

Communication through social media is a public record. Both the posts by the employee administrator/moderator and any feedback by others will become a part of the permanent records of the City of Joshua. The City will backup all content posted on its social media sites to comply with record retention policies.

The City's separate External Social Media Policy is to be posted, linked, or referred to on all City social media outlets when possible.

C. TERMS OF SERVICE

Employees should be aware of the Terms of Service (TOS) of the particular social media outlet being used. Each social media outlet has its own unique TOS that regulate how users interact using that particular form of media.

Any employee using a form of social media on behalf of the City of Joshua should consult the most current TOS in order to avoid violations.

D. FACEBOOK

All-City of Joshua's Facebook pages will be fan sites only. The information posted on City's Facebook pages should provide sufficient information to describe the topic, event, or program being discussed.

Any posting that generates considerable feedback from the public should be considered to be included on the City's official website in order to provide important information to Joshua residents.

Photographs of activities and events should be organized into photo albums and photos should have captions describing the photograph. Tagging of photos will not be allowed.

E. PERSONAL SOCIAL MEDIA ACCOUNTS

Employees with personal social networking sites must remain personal in nature and be used to share personal opinions or non-work-related information. Employees may not express opinions as representatives of the city on a social media site. Employee work pictures or photographs in a city uniform attributable to the city should not be posted on personal websites where political or religious opinions are voiced. This helps ensure a distinction between sharing personal and City of Joshua views. In addition, employees should never use their City e-mail account or password in conjunction with a personal social networking site.

Personal/private employee use of social media sites is prohibited during working hours with the exception of lunch breaks and other authorized work breaks.

Employees may not attribute personal statements, opinions, or beliefs to the City of Joshua when engaging in private blogging or postings on social media sites.

Employees are prohibited from the disclosure of confidential information that could breach the security of the City's computer system or any City of Joshua project, facility, or program in any way.

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7.10 DISCIPLINE

Origination December 20, 2018
Revised

To provide a uniform and consistent policy for employee discipline, and establish guidelines for management actions designed to correct the conduct of employees who have engaged in unacceptable behavior.

A. POLICY GOAL

It is the goal of the disciplinary process to give employees, when appropriate, the opportunity to improve by identifying what specific actions they must take in order to meet behavior standards; and, to ensure that disciplinary procedures are applied uniformly and consistently, in accordance with relevant facts, City policies, ordinances, and work rules.

B. APPLICATION OF POLICY

This policy does not apply to employees that are in the training and evaluation period. An employee in the training and evaluation period may be discharged without the right to review or appeal unless otherwise required by law.

C. PROHIBITED ACTIVITIES

Disciplinary action will be imposed for violations of City or Departmental policies and procedures, codes of conduct, and/or rules and regulations, either written or verbal. In addition, acts that are not specifically addressed in policies and procedures, codes of conduct, and rules and regulations, yet may adversely affect the City or put the health and safety of fellow employees or citizens at risk, will also likely result in disciplinary action. It is impossible to list all the forms of behavior that are considered unacceptable in the workplace.

The following are some examples of conduct that will likely result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or use of property not your own
- Falsification of timekeeping or other records, including employment application
- Working under the influence of alcohol or illegal drugs or abuse of legal drugs
- Sexual or other unlawful harassment
- Excessive absenteeism or tardiness or absence without notice
- Breaks in excess of the allotted time allowed

- Violation of the smoking policy
- Profanity or abusive language
- Violation of safety or health rules and failure to immediately report an on-the-job injury
- Coercion, intimidation, or threats against citizens, supervisors, coworkers, or City officials
- Making or publishing false, vicious, or malicious statements about the City, a coworker, or a supervisor
- Interfering with work schedules or another employees ability to work
- Misuse of City telephones, computers, mail systems, etc.
- Unauthorized disclosure of confidential information
- Violation of City or Departmental policies, codes of conduct, rules, and procedures
- Failure to be considerate of coworkers, citizens, or others
- Unsatisfactory performance or conduct
- Disruptive activity in the workplace
- Fighting, provoking, or instigating a fight, or threatening violence in the workplace
- Conduct which results in waste or damage of coworkers', City, or citizen-owned property
- Possession of weapons on City time, City premises, or while on City business (except for licensed peace officers and animal control officers required to carry a weapon as part of their job duties).
- Failure to timely return to work upon conclusion of authorized leave or disciplinary suspension
- Outside employment that conflicts with, or potential conflicts with, City interests
- Insubordination or other disrespectful conduct
- Violation of local, state, or federal laws
- Lying or willful omission of fact
- Failure or refusal to follow lawful orders
- Sleeping on the job (except for Fire Department personnel who are governed by applicable Fire Department Rules and Regulations)
- Dishonesty, including misrepresentation during the hiring process

D. DISCIPLINARY ACTIONS

Depending on the circumstances of each individual case, disciplinary action may consist of one or more of the following:

1. Informal Discussion/"Coaching": When a behavior or performance problem is identified, the problem is discussed with the employee along with the steps that need to be taken in an effort to resolve the issue and improve performance.
2. Warning: This is a verbal or written warning from a department head to an employee that his/her conduct is unacceptable, and that repeated or continued failure to conform his/her conduct or performance to City standards will result in more severe disciplinary action.
 - i. During a verbal warning, an employee will be counseled by his supervisor and told what improvements are necessary and expected to correct any performance deficiencies.
 - ii. A record of the notice of the verbal or written warning shall be made and retained in the employee's personnel file.
 - iii. The written and or verbal warning includes all of the following information:
 - The employee's name
 - The date of the warning
 - The specific offense and date of occurrence
 - A specific statement of expected performance
 - Any explanation or other information that is necessary to make the warning effective
 - Name of supervisor issuing warning
 - Notation whether employee warning is being given during the employees training and evaluation period

E. WRITTEN REPRIMAND

A written reprimand presented to an employee by a department head will describe the unacceptable conduct or performance of the employee and specify needed changes or improvements.

1. The employee will be given an opportunity to write a response to the written reprimand.
2. A copy of the written reprimand, along with any employee response, will be retained in the employee's personnel file.

F. DECISION-MAKING LEAVE

Decision-making leave with pay is a positive form of discipline that may be appropriate in some situations. It may be used alone, as an alternative to other types of discipline, or in combination with other forms of discipline.

1. The purpose of decision-making leave with pay is to give employees time to decide if they wish to remain employed by the City, and if so, if they can and will correct their behavior.
2. Decision-making leave with pay may only be used one time for the same employee and cannot exceed one day or one shift, as appropriate.

G. SUSPENSION OR INVOLUNTARY DEMOTION

An employee may be suspended or involuntarily demoted for repeated instances of minor misconduct, failure to conform his conduct or performance to the standards of his position, or for a single serious offense.

1. A record of the suspension or demotion will be retained in the employee's personnel file.
2. The employee, following an opportunity to present the employee's side of the story, may be suspended without pay, or involuntarily demoted.
3. Continued occurrences of the behavior for which an employee is suspended or demoted will likely lead to termination.
4. The employee shall sign the notice of suspension or involuntary demotion acknowledging receipt of the notice or the employee's refusal to sign shall be noted.
5. With the approval of the City Manager, the employee may be placed on administrative leave with pay pending the completion of an investigation of an incident by the City.
6. If the City's investigation determines no misconduct occurred, the City may, in its sole discretion, make the employee whole by reimbursing for lost pay, if any, and returning the employee to work.

H. TERMINATION

If an employee fails to conform his conduct or performance to the standards required by the City, the City may, in its sole discretion, terminate the employee's employment. All termination notices shall be hand-delivered or sent certified mail.

I. RIGHTS RESERVED

The City may bypass any or all of the disciplinary steps and begin the disciplinary process at any level, depending upon the following: severity of the conduct, the employee's work performance and prior disciplinary history, frequency or combinations of infractions, the employee's length of service and any mitigating circumstances.

J. PROCEDURES AND NOTICES

The procedures for a disciplinary action of, suspension, demotion, or termination include the following:

1. Pre-disciplinary meeting

- a. Before any disciplinary action of suspension, demotion, or termination is taken against an employee, the supervisor is required to meet with the employee and provide to the employee a "charge letter", detailing the violation and what discipline could be imposed. The employee shall respond to the charge letter in writing within 48 hours.

2. Reprimand, suspension, demotion, and termination

- a. A supervisor has the authority to reprimand, suspend, demote, or dismiss an employee. When one of these disciplinary actions is taken against an employee, the employee must be given written notice stating:
 - i. the type of disciplinary action taken, i.e., reprimand, suspension, demotion, or dismissal;
 - ii. the specific rule or rules violated;
 - iii. the specific acts of the employee which were in violation of the rule;
 - iv. the employee's right to appeal, if any, to a specific office within a specified time; and
 - v. the finality of the action if the employee fails to appeal within the specified time.

K. FELONIES AND MISDEMEANORS

Employees must immediately notify their supervisors and/or Department Head if they are investigated, questioned, interviewed, arrested, charged, indicted, convicted, receive deferred adjudication for, or plead nolo contendere to any misdemeanor or felony; provided, however, employees who do not drive as part of their job duties with the City are not required to report minor traffic violations.

Should an employee come under the suspicion of a felony or misdemeanor, or be accused of official misconduct or other serious criminal violation, the employee may be placed on administrative leave (with or without pay) until the city conducts and concludes internal investigation and all related administrative matters are concluded. Such a determination will be made by the appropriate Department Head and the City Manager.

An employee on administrative leave may be reinstated to the position held before being placed on administrative leave (if available) if the indictment or information is dismissed, the employee is acquitted, or the conviction is reversed on appeal.

The City reserves the right to conduct criminal checks on employees at any time, to determine if an employee has been arrested, convicted, or has otherwise disposed of a criminal charge. In the event an employee has failed to report an arrest, conviction, deferred adjudication, or other disposition of a criminal matter, as required in this Section, the employee may be subject to disciplinary action up to and including discharge.

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7.11 TRAVEL

Origination December 20, 2018
Revised

A. APPLICABILITY OF TRAVEL POLICY

It is the policy of the City of Joshua to reimburse employees and other persons who are authorized to represent the City at various conferences, meetings, conventions, seminars, and functions as well as employees who must travel to attend required or otherwise approved training programs.

The City recognizes that the public interest requires employees to travel at times to conduct City business. The City also recognizes that the public interest is served by the advancement of training and professional development of employees.

Travel for City business is to be arranged to utilize the most economical means available. This policy is applicable to all City employees and elected officials and applies to all travel on City business of 50 miles or more or requiring an overnight stay and to all travel reimbursements, subject to budget limitations and authenticated expenses.

B. RESPONSIBILITY

Department Head

Responsible for communicating and administering the provisions of this policy to employees and approving all travel requests within his/her department. Also should strive to be proactive in planning for the department's travel needs in the annual budgeting process. It is the responsibility of the Department Head to ensure all travel expenses are accounted for within five (5) working days from the date of return and the Travel Expense Report forwarded to the Finance Department.

Employee

Responsible for all pertinent information on the Travel Expense Report, indicating purpose of travel, location, type of transportation, departure date, return date, estimated expenditure and funds advanced.

Finance Department

Responsible for distributing travel funds in compliance with established policies and guidelines. The Finance Department should take into consideration the departmental travel budget and calculate the amount spent to date and forward the Travel Expense Report to the City Manager for approval.

City Manager

Responsible for either approving or denying the request. If the request is denied, the Travel Expense Report will be sent back to the Department Head. If the request is approved, the Travel Expense Report will be forwarded to the Finance Department for processing. The City Manager or

his/her designee must review and approve all expenses incurred in the Travel Expense Report after travel is completed.

C. AUTHORIZATION REQUIRED

The City Manager or designee, and/or the City Council in the case of travel of the City Manager may authorize travel leave and expenses for City business outside the City. All travel requests must be approved by the City Manager or designee prior to their occurrence.

Any employee traveling on official City business shall communicate with their supervisor as to where they can be reached while out of the City. All travel requests must be submitted on forms provided for that purpose.

D. ALLOWABLE EXPENSES

1. Registration

The City will cover actual expenses incurred in registering for a conference, seminar, or meeting. An original receipt must be furnished for reimbursement purposes. The City encourages advance payment of fees to take advantage of any discounts available. Recreation expenses included in the registration (i.e., golf, tennis, runs, etc.) will not be covered by the City.

The Department Head will be expected to select the mode of transportation that is most economical to the City considering cost and time consumed.

- i. Normally, when travel is required for City business a City vehicle or personal car may be used when such travel distances are within a two hundred and fifty (250) mile radius.
- ii. For travel beyond a two hundred and fifty (250) mile radius of the City, air transportation may be approved if more cost-effective.
- iii. Approved travel expenses will be reimbursed as follows:
 - a. When employees use their personal vehicles, all travel mileage will be paid at the most recent IRS rate per mile.
 - b. When City vehicles are used, all expenses incidental to the use of such vehicle (parking, gasoline, oil, repairs, etc.) shall be reimbursed. Receipts will be required.
 - c. When air travel is authorized, employees will book their flight as far in advance as possible.
 - i. Air travel reimbursement shall be limited to “coach” fares.
 - ii. Airport parking for twenty-four (24) hours or less, the employee will be reimbursed at the short-term parking rates. If required parking for twenty-five (25) hours or more, the reimbursement shall be at

the long-term parking rate. Original receipts will be required for reimbursement.

- iv. Reimbursement will be made for the use of rental cars, taxi or bus fares, etc., provided such expenses are necessary, reasonable, and receipts are provided.
 - i. Approval to rent a car should be obtained prior to the trip.
 - ii. Employees are expected to obtain the lowest possible rates for a rental car and shall sign and accept the liability/collision insurance agreement on the contract.
 - v. Alternate routes, which are desirable because of the personal affairs of the traveler, can be used, but only on the traveler's time and with the traveler bearing the additional cost of the alternate route. Mileage and expenses incurred on alternate routes must be shown on the expense account that is turned in for reimbursement or for advance in funds request.
2. Meals
- Employees will be compensated for meals when the business trip is more than Fifty (50) miles and requires the employee to stay overnight. The employee will be advanced fifty (50) dollars per day. Travel days will be advanced twenty-five (25) dollars per day for any travel that takes less than 6 hours.
- Meals included in the conference costs will be deducted from the advance in the amounts of \$10 for breakfast, \$15 for lunch, and \$25 for dinner.
3. Lodging
- Employees are expected to make lodging reservations well in advance whenever possible and to take other actions to ensure lodging is secured at a moderate rate.
- i. Whenever possible, a City credit card should be used in making hotel reservations and paying hotel bills related to City travel.
 - ii. Reimbursement of lodging shall be limited to single rates unless two or more employees occupy a single room, or are otherwise approved by the City Manager.
 - iii. It shall be the policy of the City to reimburse for only lodging that is economical and practical. Exceptions to this may be granted when the least expensive hotel rooms are unavailable or where conferences are held in or nearby the hotel.
 - iv. Receipts for lodging must be provided to obtain reimbursement.
 - v. Reimbursement will not be made for personal telephone calls, alcoholic beverages, entertainment expenses, or other sundry items not relevant to the public purpose of the travel, except as provided in Section E below.

4. Dependent Expenses

There is no objection to a spouse/family member accompanying an employee on an out-of-town business trip, however, the City will not be financially responsible for the spouse/family member of the employee. Any additional expenses incurred such as travel, lodging, meals or any other miscellaneous expenses will be the sole responsibility of the employee. The City will not reimburse the additional expenses.

Exceptions to allowable expenses may be approved by the City Manager.

E. TRAVEL EXPENSE REPORT PROCEDURES

Prior to trip/travel:

1. A travel expense report form shall be filled out for all travel. Meeting information and/ or brochures shall be attached to provide an overview of the meeting/event.
2. The employee will fill out all information pertinent to the request, indicating the purpose of travel, location, type of transportation, departure date, return date, estimated expenditures, and funds required in advance. The report shall then be forwarded to the Department Head for approval.
3. The Department Head will review the request and sign off if the trip is approved. The Department Head shall attach a copy of the page indicating the approved travel and training request from the budget document, and note the approved trip.
4. Upon Department Head approval, the request will be forwarded to the Finance Department and budget information will be indicated.
5. Finance will note the department travel budget and how much has been spent to date. Finance will only be forwarded to City Manager for approval if budgeted funds are available. If budgeted funds are available, the report will then be forwarded to the City Manager for approval.
6. The City Manager will note approval or disapproval of the request. If the request is disapproved, it will be sent back to the Department Head. If the request is approved, it will be forwarded to Finance for processing of the advance or payment required. Finance will then return the approved form to the employee.
7. Employee travel will be approved by the City Manager and Finance Department. Department Head travel must be approved by the City Manager.

Upon completion of trip/travel:

1. The employee will fill out all the pertinent expenditure information within five (5) days after returning from the trip. Expenditure reports shall be submitted on forms provided for that purpose.
2. All meeting/event expenses will be indicated on the expense form. All applicable receipts must be included with the report, including registration and airfare.
3. The employee will certify that the expenses are correct and will sign off on the report. The report will be forwarded to their Department Head for approval.
4. The Department Head will review the report, sign off and forward the Travel Expense Form to the City Manager for approval.
5. The City Manager will review the report, sign off and forward it to Finance for processing and filing.

City of Joshua Personnel Policies and Procedures

Section 7: General Rules and Conduct

7.12 USE OF CITY PURCHASING CARD

Origination October 21, 2021
Revised

Cardholders are responsible for and accountable to the City of Joshua for all purchases made with the purchasing card and they must adhere to all policies regarding its use. All purchasing card purchases should be for official City business only. **It is the responsibility of the employee to ensure that no sales tax is charged on any purchases.** The City is exempt and is not required to pay sales taxes. If the employee fails to have the sales tax removed upon initial purchase it is their responsibility to have it corrected.

Any employee who fails to use the purchasing card properly or abuses the use of the purchasing card shall be subject to disciplinary action as listed below, up to and including immediate termination.

The City will aggressively seek restitution for any inappropriate purchases made with the card. All cases of misuse or abuse of the purchasing card will be documented by the Finance Department and forwarded to the City Manager, Human Resources Department, and the Department Head.

A. MISUSE

The following types of card misuse will be reported in writing to the Department Head and Human Resources and subject to penalties referenced below. These are examples and do not constitute a complete listing:

1. Violation of purchasing policies
2. Use of card for personal purchases, including alcoholic beverages
3. Use of card by individuals other than the cardholder
4. Use of card to avoid or evade single or monthly transaction limits
5. Use of card to purchase non-allowable items
6. Splitting transactions at the point of sale in order to evade the single transaction limit
7. A consistent pattern of losing or misplacing receipts and/or failure to provide itemized receipts.
8. Consistently failing to remove sales tax prior to purchase.

B. DISCIPLINARY PROCEDURES

If a single incident of abuse is severe enough, regardless of the amount, the Department Head and Human Resources may skip all of the below steps and immediately suspend the card

permanently or immediately terminate the employee.

1. First Offense: The cardholder will receive a verbal warning. The verbal warning shall be issued by the Department Head and/or designee. The Purchasing Card Program Administrator will notify in writing the Department Head and Human Resources of the abuse.
2. Second Offense: The cardholder will receive a written reprimand and be required to attend purchasing card training. The written reprimand shall be issued by the Department supervisor and/or designee. The Purchasing Card Program Administrator will notify in writing the Department Head and Human Resources of the abuse.
3. Third Offense: The cardholder will have their purchasing card suspended for one (1) full billing cycle. The Purchasing Card Program Administrator will suspend the purchasing card and notify in writing the Department Head and Human Resources of the suspension of the purchasing card.
4. If another offense occurs after the card is reinstated, the card shall be canceled or suspended for up to one (1) year.
5. If the abuse continues, further disciplinary action will be taken up to and including termination.

City of Joshua Personnel Policies and Procedures

Section 8: Grievances and Appeals

8.1 GRIEVANCES AND APPEALS

Origination October 20, 2018
Revised

To create options for employees to use in resolving certain workplace conflicts and disputes. It is the policy of the City of Joshua to attempt to prevent the need for employee grievances and to deal promptly with those which do occur.

A. GRIEVANT PROTECTION

The City of Joshua's policy prohibits anyone from taking adverse or retaliatory action against an employee for the sole reason that the employee filed a grievance.

B. INFORMAL GRIEVANCE

1. The first step in the grievance procedure is for the employee to attempt to resolve the grievance by an informal conference with his or her immediate supervisor within five (5) working days after the events upon which the grievance is based.
2. If an informal conference with the supervisor does not result in a resolution of the problem(s) that is satisfactory to the employee, he or she may file a formal grievance.
3. If the grievance is against the employee's immediate supervisor, a formal complaint must be filed with the next level of supervision or up to the Department Head level.
4. If the grievance is against the Department Head, a formal complaint must be filed with the Human Resources Department.

C. FORMAL GRIEVANCE

Formal grievances shall be in writing, signed by the employee, and presented to the Department Head within five (5) working days after the informal conference is held or if an informal grievance is not held, within five (5) working days of the events upon which the grievance is based.

All formal grievances must be written and submitted to the employee's Department Head on the City's grievance form and may include a memorandum.

The grievance form must be fully completed by the employee before it will be considered. Any documentation which helps to explain the grievance must be attached to the grievance form, including:

- Copies of relevant policies
- Copies of relevant rules or regulations
- Who was involved in the action and when it occurred

- The adverse disciplinary action taken
- The alleged conduct complained of
- The remedy sought; and
- Any other information or documentation relevant to the grievance

After being presented with a formal grievance, the Department Head shall:

- Investigate the matter and attempt to make a decision on the grievance within 10 working days; and
- Communicate the decision on the grievance to the employee in writing within two (2) working days after a decision has been made.
- When a decision is not made within ten (10) working days the city manager must be notified and an extension not to exceed 10 days may be granted.

If the grievance is still not resolved to the employee's satisfaction, the employee may, within five (5) business days of the Department Head's decision, request that the City Manager review the decision.

The written grievance and a copy of the Department Head's decision will be forwarded to the City Manager for review. The City Manager shall:

- a. Investigate the matter and make a decision on the grievance within fifteen (15) working days; and
- b. Communicate the decision on the grievance to the employee in writing within two (2) working days after a decision has been made.

The decision made by the City Manager shall be considered final and binding.

D. GROUP GRIEVANCES

Group grievances occur when two or more employees file grievances that are similar in nature and may be addressed collectively, the Department Head or the Human Resources Manager may group the individual grievances into a single grievance and forward them to the City Manager for review.

- The affected group of employees must select not more than two representatives to act on behalf of the entire employee group for purposes of the grievance.
- The acceptance by the employee representative(s) of a decision or resolution of the matter will be binding on all of the employees in the group.
- The decision made by the City Manager shall be considered final and binding.

E. INVESTIGATION PROCEDURE

The manner of investigating a grievance shall be left to the discretion of management, but will normally involve, at a minimum, an interview with all parties identified as being involved and a review of all documents relative to the grievance.

City of Joshua Personnel Policies and Procedures

Section 9: Safety

9.1 SAFETY

Origination October 20, 2018

Revised

It is the policy of the City to make every effort to provide healthful and safe working conditions for all its employees. Employees will follow all established safety regulations and use all safety equipment provided by each department.

Each Department Head is responsible for reviewing all work procedures and enforcing all necessary safety rules, and providing any safety equipment necessary to provide a safe working environment.

Employees shall immediately report any accidents or injuries occurring on the job to their supervisor. The supervisor shall take all necessary action to ensure the safe transportation and/or treatment of the injured. The supervisor shall then notify the Human Resources Manager of the incident, and shall file a written accident report with the Human Resources Department.

Employees shall not be compelled by orders of a supervisor to commit acts that are unlawful or pose an unusual and unnecessary risk to the health or life of the employee.

Safety is important to the City and the employees. Failure to follow safety rules is grounds for discipline up to and including termination.

A. USE OF ELECTRONIC COMMUNICATIONS DEVICES AND SAFE DRIVING

All-City employees are expected to drive with safety as the first consideration. This includes driving safely while operating cellular telephones, electronic paging devices, and or other wireless personal communications devices.

Recommendations for safe handling of vehicle-based calls from the wireless communications industry are to be followed and include the following:

- When driving use voice-activated dialing, have frequently called numbers preprogrammed into the device, pull off the road to dial, or ask a passenger to dial.
- Do not use the wireless communications device at all if there are hazardous road or traffic conditions.
- Avoid multiple tasks when driving, such as trying to take notes while you are using a wireless communications device.

Employees are responsible for and will be accountable for, safe driving at all times. Texting, emailing, or sending any other type of electronic message while driving on City business is strictly prohibited.

B. DRIVER LICENSE AND DRIVING RECORD

It is the policy of the City of Joshua to attempt to prevent the need for employee grievances and to deal promptly with those which do occur.

Any employee required to operate a City vehicle or who operates any vehicle as part of his job duties must have a current and maintain valid Texas driver's license and maintain an insurable driving record. Proof of a valid driver's license is required before the employee may begin employment.

The City reserves the right to review the driving record of any Employee required to drive a City vehicle or operate any vehicle as a regular part of their job at any time. An employee who routinely uses his personal vehicle on official business will be required to show proof of liability insurance coverage.

- Minimum insurance requirements as specified by the City's insurance carrier must be in effect at the time your personal vehicle is used.
- It is the employee's responsibility to submit a copy of a current Texas driver's license and insurance ID card to your Department Head BEFORE the expiration date.

In order to ensure the safety of all the employees and the public, an employee may be forbidden to operate street vehicles based on the employee's driving record. If driving is an essential function of the job, this may result in termination.

An employee charged with, but not convicted of, any major moving violations including D.W.I. or D.U.I. may be removed from driving pending the resolution of the alleged violation. If driving is an essential function of the job, this may result in termination.

If driving is a requirement for his/her job and an employee's driving license becomes invalid or is suspended, an employee must report this immediately. If driving is an essential function of the job, this may result in termination.

City of Joshua Personnel Policies and Procedures

Section 10: Volunteer Firefighters

10.1 Volunteer Firefighters Nominal Fee Distribution Policy

Approved July 20, 2023

Volunteer firefighters are not employees of the City of Joshua. However, the City of Joshua recognizes that volunteer firefighters are a valuable asset and, as such, offers a nominal fee program to offset expenses associated with participating in volunteer firefighting activities.

A. NOMINAL FEE SCHEDULE

Volunteer firefighters shall be reimbursed a nominal fee for time expended on shift activities. Shift activities include emergency responses, training, and other firefighting-related duties performed throughout their shift. Volunteer firefighters must utilize the online calendar scheduling system to sign up for their shifts.

Volunteer firefighters are scheduled in four (4) hour-shift increments. Volunteer firefighters must work the entire scheduled shift to receive their nominal fee payment. Volunteer firefighters will receive \$16.00 for each 4-hour shift they work.

Volunteer firefighters who work less than a 4-hour shift will not receive a nominal fee benefit.

B. FEE DISTRIBUTION & IRS TAX WITHHOLDING

The Fire Department shall submit monthly or quarterly invoices to accounts payable for fee distribution.

Nominal fees will be distributed through accounts payable and are not subject to IRS tax withholding. An IRS form 1099 will be issued to anyone who receives a nominal fee distribution exceeding \$600 in a calendar year.

C. FAILURE TO MAINTAIN HOURS

Failure to maintain 30 hours of participation in two consecutive months shall result in the member being removed from active duty and placed on suspension. All suspensions are subject to the Fire Chief's discretion.