



# City of Roanoke

## Employee Policy Handbook

Revision: February 2012

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EMPLOYEE POLICIES AND PROCEDURES HANDBOOK  
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**CITY OF ROANOKE  
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PERSONNEL SECTION**

**CHAPTER 1: GENERAL PROVISIONS**

**1.01 Objectives**

The purpose of these Personnel Policies and Procedures is to create a high degree of understanding, cooperation, efficiency and unity, all of which come through the systematic application of established procedures in personnel management and administration; and to provide a uniform policy for all employees.

This manual is designed to provide information regarding working conditions, employee benefits and policies affecting employment. Employees should read, understand and comply with all provisions of the manual. It describes many responsibilities as an employee and outlines the programs developed by the City to benefit employees. Employees also may read any applicable departmental regulations for additional information about the administration of these policies, other City policies and employment matters.

No employee manual can anticipate every circumstance or question about policy. As the City continues to grow and as the need may arise, the City reserves the right to revise, supplement or rescind any policies or portion of the manual from time to time as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is the “at-will” employment policy permitting the employee or the City to end the employment relationship for any reason at any time. Any future changes to this manual shall be communicated to employees through official notices.

The fundamental objectives of the personnel policies and the administrative regulations are:

- A. To promote and increase efficiency, responsiveness to the public and economy in the service of the City;
- B. To develop a program of recruitment, advancement and tenure which shall make service to the City attractive as a career and shall encourage each employee to render his best services to the City;
- C. To establish and maintain an equitable and uniform plan of evaluation and compensation based upon the relative duties and responsibilities of positions within the City and to reward meritorious service;

- D. To establish and promote high morale among City employees by providing a good working environment, uniform personnel policies and opportunity for advancement;
- E. To endeavor to comply with all applicable statutes and regulations, including all confidentiality and security safeguards set forth in the Texas Public Information Act, as amended, and the federal Privacy Act of 1974, as amended.
- F. To provide an attractive, efficient and safe environment by maintaining good physical working conditions and a planned safety program;
- G. To regard planned training, continuing education and staff development activities as an investment for the mutual benefit of employees and the City;
- H. To communicate freely and to encourage communication from and among all employees;
- I. To provide a work environment that is conducive to both personal and professional growth;
- J. To safeguard any employee's right to be treated with respect, dignity, equity and fairness; where provided, the right to appeal any violation of these rights; and
- K. To recruit, select, compensate and promote employees on the basis of qualifications and merit, including but not limited to criteria such as ability to work well with others, positive attitude, leadership and similar criteria.

## **1.02 Statement of At-Will Employment**

Employment with the City of Roanoke is on an "at-will" basis. The employee may quit and the City may terminate the employee at any time, for any non-discriminatory reason or for no reason. **The provisions of this Policies and Procedures Manual are not intended to create a contract of employment, and no agreement or promise regarding an employee's terms or conditions of employment is binding on the City.** The City has the right to change its policies at any time without prior notice. No contrary verbal representation or statement of an employee's terms and conditions of employment is binding upon the City.

### **1.03 Equal Employment Opportunity Statement**

As the governmental unit established to serve all of the citizens of the City of Roanoke, the City of Roanoke, Texas, recognizes that it is in the best interest of efficiency, effectiveness and equity within its municipal operations to ensure that all of its citizens and employees are allowed to make the greatest contribution of which they are capable to their municipal government. In striving toward this end, the City recognizes and readily accepts its legal and moral responsibility to uphold the Constitution and laws of the United States of America and the State of Texas. It is with the express intent of fulfilling this responsibility that the City of Roanoke, Texas, hereby adopts the following Equal Employment Opportunity Policy Statement:

- A. Equal opportunity in employment shall be provided to all persons.
- B. Discrimination against any person in recruitment, examination, selection, appointment, rate of pay, promotion and transfer, retention, daily working conditions, testing and training, awards, compensation and benefits, disciplinary measures or any other aspect of employment or personnel management because of political or religious opinions or affiliations, or because of race, color, age, gender, national origin, disability or other unlawful basis is prohibited.
- C. Unlawful discrimination on the basis of age, race, gender, color, national origin, religion or disability is prohibited in the enforcement of these policies.
- D. Derogatory language against or about any person's age, race, gender, color, national origin, religion or disability is prohibited.
- E. Retaliation, intimidation, coercion or harassment against any applicant for employment or employee who may file a grievance under this policy and/or who may file a grievance or complaint in accordance with existing statutory rights of appeal to appropriate governmental authorities is prohibited.
- F. Any employee who violates the prohibitions, or the letter or spirit, of this policy shall be subject to disciplinary action, up to and including dismissal.

### **1.04 Motivation and Knowledge of Employees**

Every employee in City service should understand that he is working for the public. It is the goal of the City to constantly develop more effective and efficient means to serve its citizens. Therefore, each employee should have a thorough knowledge of his job and should possess a respect for his work. He should have knowledge of the relation of his job to other employees and to the entire City organization.

### **1.05 Applicability**

These personnel policies shall apply to all employees unless superseded by the state or federal constitutions, state or federal legislation and/or regulations or City code provisions. Failure to comply with these policies may result in appropriate disciplinary action. All City employees are charged with the responsibility of being thoroughly familiar with all provisions of these Personnel Policies and Procedures.

Elected officials, the City Attorney, the Judge(s) of the Municipal Court, members of appointed boards and commissions, persons employed under contract, and personnel appointed to serve without pay shall not be considered City employees for purposes of these policies.

### **1.06 Dissemination**

All City employees shall be provided a copy of these Personnel Policies and Procedures and each department shall keep at least one copy available for reference by its employees.

### **1.07 Departmental Rules/Policies**

Because of the variety of services performed by the City, it may be necessary for individual departments to establish codes of conduct, rules and regulations, and policies and standard operating procedures to accomplish departmental responsibilities. All such departmental rules/policies may be more restrictive, but not less restrictive than these Personnel Policies and Procedures. An employee who violates a departmental code of conduct, rules, policy or procedure is subject to disciplinary action.

### **1.08 Authority and Responsibility**

The City Manager may revise or amend these Personnel Policies and Procedures, within the law and with City Council approval, to the extent deemed necessary by the City Manager in order to more effectively and efficiently promote the interest of the City and its employees. The Human Resources Department, upon approval of the City Manager, is authorized and directed to develop and implement necessary procedures for the efficient administration of these Personnel Policies and Procedures.

With the exception of matters reserved to the City Council, the general and final authority for personnel administration rests with the City Manager. Each Department Head or supervisor is responsible for enforcing the provisions of this Personnel Policies and Procedures Manual. City employees are responsible for complying with and adhering to these Personnel Policies and Procedures and for conforming to the directions provided by departmental management in the fulfillment of these Personnel Policies and Procedures.

## **1.09 Reservation of Authority**

The City reserves the authority to modify, revoke, interpret, or terminate any or all of the rules and regulations specified in these Personnel Policies and Procedures, in whole or in part, at any time, with or without notice. The issuance of these Personnel Policies and Procedures does not constitute an express or implied contract between the City and its employees. City supervisory personnel shall not make any representation to employees or applicants concerning the terms or conditions of employment with the City which are not consistent with these Personnel Policies and Procedures.

## **1.10 Date of Adoption**

These Personnel Policies and Procedures are effective immediately upon adoption by the City Council.

## **1.11 Definitions**

A. Any reference to any person in this Personnel Policies and Procedures Manual by use of the masculine gender is for purposes of grammatical clarity only, and shall not be construed to exclude the feminine gender.

B. Titles utilized herein shall not govern, limit, modify or affect the scope of meaning or intent of any provision.

C. Any provision contained herein that is found or determined to be illegal, incorrect or inapplicable shall not affect the validity of the remaining contents.

D. The words and terms used in these Personnel Policies and Procedures shall have the meaning indicated as follows (unless the context in which the word is used clearly indicates otherwise):

**ADDRESS** means the street and number, city, state and zip code of a residence and/or the post office box mailing address, if applicable.

**ADMINISTRATIVE LEAVE** means an authorized absence with pay.

**ANNIVERSARY DATE** means the month and date at which one (1) year or additional years of employment with the City are attained by a regular full-time or part-time employee. If an employee changes from part-time to full-time status, then the anniversary date is changed to reflect the date the employee begins full-time status.

**CITY** means the City of Roanoke, Texas.

**CONTINUOUS SERVICE** means employment with the City uninterrupted by leave of absence without pay or separation from City service.

**CONTRACT EMPLOYEE** means an employee who has contracted with the City to perform a specific task at a set rate of compensation.

**DEMOTION** means an assignment of an employee from a position in one classification to a position in another classification having a lower pay grade.

**DEPARTMENT** means a major functional unit of City government.

**DEPARTMENT HEAD** means any person, appointed by the City Manager or City Council, who is responsible for the administration of a department.

**EMPLOYEE** means any person employed and paid a salary or wages by the City, and includes a person employed on a temporary or part-time basis, but does not include an independent contractor, contract employee, the Municipal Court Judge(s), the City Attorney, a member of an appointed Board or Commission, or a member of the City Council.

**EXEMPT EMPLOYEE** means any employee who occupies an executive, administrative or professional position or is a computer employee, as defined by the Fair Labor Standards Act, as amended.

**FULL-TIME EMPLOYEE** means any employee scheduled to work forty (40) hours or more per work week. Full-time employees are eligible for all benefits offered by the City to its employees.

**GRADE** means a division of a salary and classification schedule with specified rates and/or ranges of pay into which a job or position is classified according to such factors as level of difficulty, responsibility and other criteria.

**HUMAN RESOURCES DEPARTMENT** means the individual(s) to whom the human resource function has been delegated, regardless whether there is a specific department designated as the Human Resources Department.

**JOB** means a collection of tasks, duties and responsibilities regularly assigned to and performed by an individual (or individuals) when the magnitude of the job is such that it cannot be performed by one person.

**LEAVE WITHOUT PAY** means an authorized temporary absence without pay.

**MANUAL** means these Personnel Policies and Procedures.

**MERIT** means character or conduct deserving reward, honor or esteem.

**MILITARY LEAVE** means any authorized absence of an employee for active or reserve duty or training in the United States armed forces.

**MONTH** means one (1) calendar month.

**MOTOR VEHICLE ACCIDENT** means an incident involving a motor vehicle in which there is either a fatality, any property damage, an injury treated immediately and/or away from the scene or a vehicle is required to be towed, due to disabling damage, from the scene.

**NON-EXEMPT EMPLOYEE** means any employee who does not occupy an executive, administrative or professional position or is a computer employee, as defined by the Fair Labor Standards Act, as amended.

**PART-TIME EMPLOYEE** means any permanent employee scheduled to work less than forty (40) hours per work period.

**PERMANENT PART-TIME EMPLOYEE** means any permanent employee scheduled to work equal to forty (40) hours per work period. To be eligible for permanent part-time benefits, the employee must work to at least forty (40) hours per work period consecutively for one year.

**PHYSICIAN OR LICENSED PHYSICIAN** means any physician licensed by the Texas State Board of Medical Examiners.

**PROMOTION** means an assignment of an employee from a position of one (1) classification to a position in another classification having a higher pay grade.

**REDUCTION IN FORCE** means a separation from City service because of a shortage of funds or materials, elimination of a position or other reasons beyond the control of an employee and not reflecting discredit upon him.

**REGULAR EMPLOYEE** means an employee who is either full-time or part-time and is non-seasonal and non-temporary.

**REGULATIONS** mean these Personnel Policies and Procedures.

**RESIDENCE** means the actual place of abode of an employee.

**RETIREMENT DATE** means the first day an eligible employee becomes entitled to receive retirement benefits.

**SECONDARY EMPLOYMENT** means any business, trade, occupation or profession performed for any entity other than the City, including self-employment.

**SEPARATION** means a voluntary or involuntary cessation of employment with the City.

**SERIOUS HEALTH CONDITION** means an illness, injury, impairment or physical or mental condition involving inpatient care or continuing treatment by a health care provider.

**SUPERVISOR** means any person responsible to a superior for directing the work of others.

**SUSPENSION** means an involuntary discontinuance of pay for a specified period of time.

**TEMPORARY/SEASONAL EMPLOYEE** means any employee appointed to any of the following:

1. An assignment or job scheduled to last less than six (6) months;
2. A position funded under a federal employment and training program as a participant meeting federal eligibility requirements, but not including administrative or staff positions;
3. A cooperative work-study program with an educational institution;
4. A seasonal position, even though the assignment may last more than six (6) months;
5. Any assignment of less than a full calendar year, which is repeated from year to year, even though the assignment may last more than six (6) months;
6. A position which, by City policy and practice, is intended to give introductory work experience to a person preparing for entry into the work force; or
7. A part time position expected to work less than twenty (20) hours per week or one thousand (1,000) hours per fiscal year.

Temporary/seasonal employees are not eligible for any City benefits other than workers' compensation benefits.

**TERMINATION** means a disciplinary cessation of employment with the City.

**TRANSFER** means any change of an employee from one position to another position in a classification having the same pay grade.

**WORKDAY OR WORKING DAY** means any one shift during which a department is open for business or on which an employee is scheduled to work.

**WORK PERIOD** for non-public safety employees means 40 hours per week, which generally is defined as Wednesday 12:00:01 a.m. to Tuesday 11:59:59 p.m.; seven days later, for regular full-time employees (with the exception of any modified work period personnel, when so adopted). For applicable Police Department personnel, “work period” means 86 hours per work period, which generally is defined as Wednesday 12:00:01 a.m. to Tuesday 11:59:59 p.m.; fourteen days later, pursuant to Section 207(k) of the Fair Labor Standards Act, as amended. For applicable Fire Department personnel, the City has adopted a 27-day work period, consisting of 204 hours, pursuant to Section 207(k) of the Fair Labor Standards Act, as amended.

## CHAPTER 2: EMPLOYMENT

### 2.01 Employment Information

Identification of vacancies, announcement of vacancies, employment applications, and requirements for employment with the City, evaluation, disqualification and other pertinent employment-related topics are addressed and administered by the Human Resources Department.

### 2.02 Applications for Employment

Employment with the City of Roanoke shall be based on merit, ability and fitness. No one shall be employed in any position with the City until a completed application of employment is provided to the Human Resources Department. All applications for employment that have not resulted in employment will be retained active for not more than 45 days. Any applicant wishing to be considered for future openings must contact the Human Resources Department, and the application and/or resume shall be considered for the new opening. After 45 days, a new application and/or resume must be submitted in order to be considered for any new openings. Applications that have resulted in employment shall be included in the employee's City employment records.

The City relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications or material omissions in any of this information or data shall result in the City's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Employees shall be responsible for notifying the Department Head and Human Resources Department of any change in address, marital status, current telephone number or any other information required by City employment.

### 2.03 Requirements of Employment

To be eligible for employment with the City, or for a change in present personnel status, an individual must:

- A. Be at least sixteen (16) years of age depending upon the requirements of each position;
- B. Have a social security number;
- C. Agree to be fingerprinted, if requested;

- D. Agree to a polygraph examination related specifically to job performance for positions designated by the City Manager, if requested and such examination is not prohibited by law;
- E. Where permitted by law, pass a physical and/or psychological examination administered by a licensed medical practitioner selected by the City, to ensure ability to perform essential duties of the job;
- F. Agree to alcohol and drug screening tests;
- G. Satisfactorily complete any interviews, examinations and performance tests, if required because of job duties;
- H. Show proof of United States citizenship, legal residence, or other documentation that establishes employment eligibility in the United States, as required by the Department of Justice;
- I. Possess a valid Texas driver's license and have an acceptable driving record in compliance with City policy, where applicable, unless waived by the City Manager;
- J. Meet minimum requirements of the job description for which employment is sought and submit to all other employment procedures administered by the Human Resources Department.

#### **2.04 Nepotism**

No person related within the second degree by affinity (marriage) or within the third degree by consanguinity (related by ancestry or blood) to the City Manager shall be employed or contracted with for any office, position or clerkship of service of the City. This prohibition shall not apply to individuals who shall have been continuously employed by the City at least six (6) months prior to the election or appointment of said official. Moreover, any spouse or members of the immediate family of any employee shall not be employed in any position where there is a supervisory/subordinate relationship or where there is a close working relationship within the same department or congruent departments.

For purposes of this section, "immediate family" means spouse, parent, step-parent, parent-in-law, child, stepchild, brother, sister, step-brother/sister, step brother-in-law/sister-in-law, step parent-in-law, grandparent or grandchild.

The foregoing provisions apply to all classifications and status of employees.

## **2.05 Disqualification**

- A. An applicant shall be disqualified from consideration for employment if he:
1. Does not meet the minimum qualifications necessary for performance of the duties of the position involved;
  2. Has made a false statement or omission of material fact on the application form or supplements thereto;
  3. Has committed or attempted to commit a fraudulent act in any stage of the selection process;
  4. Is not legally permitted to work; or
  5. Does not have an acceptable driving record as established by the City.
- B. An applicant may be disqualified from consideration for employment upon other reasonable grounds relating to job requirements.

## **2.06 Health and Fitness**

It is the continuing responsibility of each employee to maintain the standards of physical and mental health fitness required for performing the essential duties of his position. An employee who becomes aware of a medical or mental disability which may affect his ability to perform the essential duties of his assigned position must inform his immediate supervisor and/or Department Head. When it is suspected that the health condition of an employee constitutes a hazard to persons or property, or prevents the employee from effectively performing his essential assigned duties, the employee may be required to submit to a health examination. Authorization for disclosure of all reports to the City, including contacting and discussing health-related issues with any physician or health care provider shall be a condition of continued employment with the City. The City also may require employees to return to a physician or health care provider for additional evaluation or information.

A Department Head or the Human Resources Department may require an employee to take periodic mental or physical examinations to maintain continued eligibility for employment in his classification and failure to comply may result in disciplinary action. Authorization for disclosure of all reports to the City shall be a condition of continued employment with the City. The Human Resources Department shall develop, promote and assist Department Heads in implementing those programs and procedures necessary to maintain the required level of physical and/or mental health fitness in those departments and/or positions where such fitness is conditional to employment and job performance.

If an employee is unable to perform the essential duties of his assigned position, reasonable accommodations may be made by the City to provide for the employee to perform such duties. If a reasonable accommodation cannot be made and the employee is unable to perform the essential duties of his assigned position, he may be terminated.

## **2.07 Promotion**

Promotions are position changes to classes with higher maximum salaries. All City employees may apply for a promotion to a vacant position. To be eligible for a promotion, an employee must meet the current minimum requirements for the vacant position.

All promotions within an employee's current department shall be documented on appropriate forms and forwarded to the Human Resources Department for processing.

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

## **2.08 Transfers**

A transfer is the assignment of an employee from one position to another position within the same salary/grade range. All City employees may apply for a transfer to a vacant position within or outside their current department.

To be eligible for transfer, an employee must meet the current minimum requirements for the vacant position and must complete and submit the appropriate form to the Human Resources Department for processing.

## **2.09 Demotions**

A demotion is the assignment of an employee from a position in one class to a position in another class having a lower salary/grade range.

Employees who are qualified to perform the duties of a lower level position may be approved for administrative demotion at their request.

The City may initiate administrative demotions at any time as an alternative to layoffs or disciplinary terminations when so warranted.

## **2.10 Verification of Employment/Employment References**

The Human Resources Department is responsible for any verification of employment information or employment references requested by any member of the public. Upon documented request, all information subject to the Texas Public Information Act shall be released; however, an employee's home address, home telephone number and social security number shall not be released if the employee has requested that such information not be released.

## **2.11 Secondary Employment**

- A. Each full-time employee of the City shall understand that his position with the City of Roanoke is his primary occupation and it shall take precedence over all secondary jobs at all times. An employee who is working another job at the time of hire, and who intends to continue the other employment, must so advise the appropriate Department Head or designee and receive approval to continue the secondary employment. A City employee is permitted to engage in any business, trade, occupation or profession, including self-employment, provided prior written approval of the Department Head or his designee is secured. Such approval must be placed in the employee's personnel file. Failure to acquire prior approval is grounds for disciplinary action.
1. When engaged in secondary employment, the employee must notify the City Manager, his Department Head or designee in writing of the place and type of employment or business, and the hours of work.
  2. An employee whose position requires him to occupy an "on-call" status shall recognize such status as an obligation to the City of Roanoke and shall fulfill that obligation if called to work for the City during these hours even while working on the second job.
  3. Such secondary employment shall not be permitted if it will bring the City into disrepute, reflect discredit upon the employee as an employee of the City or interfere with the performance of the employee's City duties.
  4. An employee shall not perform any outside work or engage in extra-duty employment at any time when the employee is on leave from the City for paid injury leave, sick leave or family and medical leave. An employee shall not perform any outside work or engage in extra-duty employment within eight (8) hours after the employee's missed work period with the City due to the employee's illness or injury. Continuation of secondary employment approved

by the City Manager or the appropriate Department Head or designee must be approved by the Director of Human Resources when an employee has been injured in the course and scope of City employment.

5. No employee shall engage in any employment or business where the work performed by the employee or that of the employee's agents or employees is subject to approval/rejection, inspection or licensing by the City except pursuant to authorized department policies; however, nothing in this section shall prohibit an employee from performing the same or other services that he performs for the City for a private or public organization if there is no conflict with his City duties and responsibilities.
  6. No employee shall engage in any employment or business on a matter that is or has been the subject of an investigation by the employee's department within the last twelve (12) months, nor may the employee appear as a witness except by court order in any proceeding as a result of such employment.
  7. No employee shall identify himself with his position, department or the City of Roanoke in:
    - a. The course of a sale or solicitation for sale of any goods or services; or
    - b. The advocacy of any policy, practice, standard or position not officially sanctioned by the City.
  8. No employee at any time shall use or utilize City property, equipment, goods or services in the performance of his secondary employment.
  9. These rules apply whether or not there is remuneration for the work or employment.
- B. Department Heads are prohibited from engaging in any form of secondary employment except as may be specifically approved by the City Manager. Department Heads may, by written directive and approval by the Human Resources Department and the City Attorney's office, specify prohibitions applicable to employees within their respective departments.
- C. An employee of the City of Roanoke who holds another office of emolument or position of honor, trust or profit shall be subject to the provisions of the Texas Constitution, Art. XIV, § 40.

## **2.12 Employee Job Performance Evaluations**

Employee job performance shall be reviewed on no less than an annual basis in an effort to evaluate job performance and facilitate communications between employees and supervisors. Employee job performance evaluations shall be in writing and on the appropriate forms provided and/or approved by the Human Resources Department. An employee's failure to meet job requirements, failure to satisfactorily perform job duties or failure to meet performance standards may result in disciplinary action, up to and including termination.

## **2.13 Training and Development**

Training and employee development programs for City employees will be directed toward skill development, knowledge enhancement, enrichment and/or performance improvement. Such training is recognized to be in the best interests of the employee and the City. Employees are encouraged to contact their supervisor in reference to any training and development opportunities and needs they feel would be beneficial to their position.

## **2.14 Introductory Period**

New regular full-time employees are required to serve an introductory period of six (6) months. New permanent part-time employees are required to serve an introductory period of one (1) year. The purpose of this period is to give the City and the employee time to determine the suitability of the match. Further, the introductory period allows the supervisor to closely observe and evaluate the work performance of new employees and to aid and encourage adjustment to the job. The supervisor is responsible for reviewing the quality and efficiency of the employee's work as well as the employee's attendance. The introductory period may be extended up to an additional one hundred eighty (180) days if the Department Head and City Manager determine an extension of the introductory period is warranted under the circumstances.

The introductory period does not modify the "at-will" nature of City employment. A new employee may be dismissed during the introductory period when, in the supervisor's judgment and with the Department Head's approval, if appropriate, the quality of the employee's work or attendance record is not such to merit continuation in City service.

## **2.15 Separation From Employment**

An employee may leave City service in good standing by submitting his written resignation in the prescribed manner, giving ten (10) working days notice to the employee's department head and the Human Resources Department. The Department Head may waive any portion of the notice period. An employee resigning without the

required notice shall be ineligible for reinstatement unless the notice provision provided herein is waived.

The written notice shall include, but is not limited to, the following:

- a. Date of letter;
- b. Last day of employment;
- c. Reason for resignation;
- d. Forwarding address; and
- e. Signature of the employee.

All records, property, uniforms or other instruments belonging to the City of Roanoke in the possession of the separated employee shall be returned before final payment will be made. In the event such items are not returned to the City prior to the issuance of final payment, as a condition of employment with the City, the employee agrees that such amounts may be deducted from any final payment due such employee.

## **2.16 Force Reduction**

Employees may be discharged for lack of work or funds or the elimination of positions. Insofar as practicable or for the betterment of a department, Department Heads shall endeavor to give advance notice of such reduction in force.

## CHAPTER 3: WAGE AND SALARY ADMINISTRATION

### 3.01 Compensation Plan

The City's compensation plan shall be periodically reviewed and may be revised by the Human Resources Department to reflect changing competitive positions and economic conditions, and shall be submitted to the City Manager and to the City Council for approval. The impact of the adopted salary plans shall be outlined in the fiscal year budget or other appropriate documents.

### 3.02 Salary Increases

Eligibility for compensation and pay increases shall be periodically reviewed by the City Manager in conjunction with the Human Resources Department. Employee salaries may be revised in the City's annual budget.

### 3.03 Reduction in Salary

Department Heads, with approval of the City Manager, may reduce the salary of any employee at any time for non-discriminatory reasons. No reduction in salary shall deprive an employee of consideration for salary increases at a later date.

### 3.04 Incentive/Certification Pay

Eligible regular full-time employees may receive additional compensation per month for each qualifying certificate or license obtained above the "basic level" within their respective professions or occupations. The amount of such compensation shall be determined as part of the annual budget and will be included in the employee's regular rate of pay. The maximum monthly incentive pay shall be \$150.00. The time during an employee's introductory period and/or probation shall not be included in the incentive pay calculation. All requests for incentive pay are authorized by the Department Head and then submitted to the Human Resources Department. Incentive pay shall be issued once annually, in December.

To qualify for the incentive pay program, certificates must **not** be a job requirement for the employee's present position. Certificates or licenses must be obtained from appropriate State certification or licensing agencies and/or recognized professional associations performing a similar certification or licensing function for personnel in the applicable profession and must be maintained in an active status. Certificates or licenses also must be directly related to the employee's present job duties and functions. A current list of authorized certifications by position shall be maintained by the Human Resources Department.

### **3.05 Compensation of Temporary and Part-Time Employees**

An employee who regularly works less than the established hours of full-time employment for each month may be paid by the hour or pursuant to a wage scale proportional to the amount of time worked.

### **3.06 Overtime**

- A. Non-exempt personnel may be required to work hours in excess of their official established hours when necessary as determined by departmental management. Specific extra work assignments shall be rotated and allocated as evenly as possible among employees qualified to do the work. Employees are expected to respond to a reasonable request to work extra hours and may be subject to disciplinary action for failing to stay or report for such hours.
- B. Employees performing work at any time, other than scheduled working hours, including taking work home is strictly forbidden unless authorized by the employee's supervisor. Prior to working on such occasions, employees must verify such hours with their supervisors to make certain that overtime is, or will be, authorized. Employees shall not perform work for the City outside their regular scheduled work hours on a voluntary basis.
- C. Non-exempt employees receiving overtime pay shall be compensated for such overtime hours at the rate of one and one-half (1½) times their regular rate of pay for hours physically worked in excess of forty (40) hours per work week or authorized work period, with time rounded to the nearest quarter of an hour. Any time less than one-quarter hour shall not be compensable.
- D. Exempt employees will receive one (1) hour compensatory time for each hour worked over 40 hours a week. Compensatory time must be taken within 90 days of its accumulation. Earned compensatory time is not compensable as a separation benefit for exempt employees.
- E. Vacation, sick, bereavement, military, jury duty are not considered to be "hours physically worked" for purposes of calculating overtime. Holiday hours taken is considered "hours physically worked" for purposes of calculating overtime.
- F. The City Manager and Human Resources Department are responsible for determining the exempt/non-exempt status of positions in accordance with guidelines established by the Fair Labor Standards Act.

### **3.07 On-Call and Call-Backs**

- A. On-call is all time after regularly scheduled working hours when a non-exempt employee is designated to be available for call-back. According to the Fair Labor Standards Act, an employee required to remain on-call on City premises or so close to the premises that the employee cannot use the time effectively for his own purposes is compensable. Also, an employee required only to leave word at home or with the City as to where he may be reached is not engaged in compensable working time. The City's compensation guidelines for on-call employment allow more flexibility for compensation for employees who are on-call but whose time may be somewhat impacted. The City may choose to compensate, in certain circumstances, employees designated to be on-call and available for call-back. If called back, compensation shall be paid for actual hours worked, and at the overtime rate if applicable. Time spent traveling shall not be counted as hours worked.
- B. A non-exempt employee shall be considered to be officially scheduled and designated as on-call when an on-call need has been identified by a Department Head, instructions have been communicated by a Department Head or supervisor to the employee concerned and the employee has acknowledged the on-call status and availability instructions and further, the employee has indicated to the appropriate supervisor how he can be contacted. Employees are expected to respond to an assignment by their supervisor to be on-call.
- C. This section does not apply to exempt employees.

### **3.08 Method of Payment**

Salaries shall be paid every two (2) weeks on Friday. If a scheduled payday falls on a holiday, paychecks shall be issued the day preceding the holiday.

### **3.09 Separation Pay**

All employees who leave the service of the City for any reason shall receive all pay that legally may be due them. Any indebtedness to the City, which an employee may have incurred, shall be deducted from the final paycheck and by accepting City employment, an employee agrees thereto.

All employees who resign shall give at least ten (10) working days' written notice before the effective date of resignation to leave in good standing, pursuant to Section 2.15 of this Manual. After an employee gives the required notice, a Department Head may waive the required notice at the City's request, as deemed necessary.

### **3.10 Advance Pay**

No full or partial advance payment of salary shall be made to any employee. All paychecks shall be distributed on the scheduled payday.

### **3.11 Direct Deposit/Paycard**

Direct deposit or a pay card is the method used by the City to pay all employees and contract labor. This allows an employee's check to be deposited directly into any financial institution(s) of their choice that is part of the Federal Reserve System.

## CHAPTER 4: BENEFITS AND LEAVE

### 4.01 Health Insurance

All regular full-time employees are covered by hospital and medical insurance. The City's group health insurance generally provides for partial payment of hospitalization, major medical expenses and prescription drugs. Additional insurance coverage for dependents is available for an additional cost. Detailed information concerning employee insurance programs may be obtained in the applicable insurance manuals or in the Human Resources Department.

### 4.02 Life Insurance

The City provides group life and accidental death insurance coverage for all regular full-time employees. The cost of providing this insurance coverage to employees is paid by the City. Optional supplemental coverage is available and may result in out-of-pocket costs for premiums, depending upon the plan chosen by the employee. Detailed information concerning life insurance and supplemental coverage is contained in the applicable insurance manual or in the Human Resources Department.

### 4.03 Workers' Compensation Insurance

Any City employee injured as a result of duties performed in the course and scope of his job shall be eligible to receive workers' compensation benefits at no expense to the employee. Any accidents or on-the-job injury must be reported immediately. An employee that does not report an injury may not be eligible for workers' compensation benefits.

### 4.04 Retirement

The City of Roanoke is a member of the Texas Municipal Retirement System (TMRS). The purpose of this system is to provide a plan for the retirement of employees of Texas municipalities. Participation in this system is compulsory for all regular employees who are scheduled to work a minimum of one thousand (1,000) hours annually. Enrollment into this system shall be handled by the Human Resources Department at the date of employment.

- A. The plan requires a contribution be made by means of payroll deductions. The City matches each employee's contribution at a 2:1 ratio.
- B. In the event a member of the retirement system leaves the employment of the City prior to retirement and is not vested, such member may elect to leave his contributions on deposit with the system for not more than five (5) years, may file application for a full refund of the employee's contributions and accrued interest thereon, or may roll the funds over into

a qualified account. In the event that an employee receives a full refund of his contributions, the employee forfeits any seniority towards retirement under TMRS.

- C. Where practical, employees shall give the Human Resources Department written notice of their intent to retire at least one (1) month prior to the proposed date of retirement in order to file a written application for retirement with TMRS.
- D. Complete details of the retirement plans, as well as additional information, is provided in the Texas Municipal Retirement System Handbook available through the Human Resources Department.
- E. Employees on leave without pay are not eligible to make contributions to the Texas Municipal Retirement System.

#### **4.05 Deferred Compensation**

Regular full-time employees may elect to participate in a deferred compensation plan that is designed to supplement the employee's retirement income. The deferred compensation plan allows an employee the opportunity to defer taxation on income until contributions to the plan are withdrawn.

For more information about deferred compensation matters, contact the Human Resources Department.

#### **4.06 Longevity Pay**

All full-time employees of the City shall receive longevity pay per month for each year of service to the City, beginning after the employee's first full year of employment. Longevity pay shall be at a rate of \$5.00 per month for every month of service. Longevity payments shall be issued once annually, generally in December.

All permanent part-time employees of the City shall receive longevity pay per month for each year of service to the City, beginning after the employee's first full year of employment. Longevity pay shall be at a rate of \$2.50 per month for every month of service. Longevity payments shall be issued once annually, generally in December.

Longevity pay shall be included in the employee's regular rate of pay in computing the overtime pay rate. Eligible employees who separate from employment during the year shall receive a pro-rated distribution in their final paycheck.

#### **4.07 Uniforms and Apparel**

Employees who are required to wear uniforms and specified apparel will be provided new uniforms and apparel, complete with required insignia, etc., upon employment. Replacement uniforms and apparel will be furnished at City expense on an as needed basis. Supervisors are responsible for determining the need for uniform/apparel replacement.

An employee whose employment with the City terminates for any reason must return all uniforms and apparel issued by the City to receive his final paycheck. Supervisors are responsible for the removal and return of all identifying patches and insignia.

#### **4.08 Holidays**

- A. Paid holidays are extended to full-time employees.
- B. The following official holidays shall be observed:
  - 1. New Year's Day (January 1);
  - 2. Martin Luther King Day (third Monday in January);
  - 3. Presidents' Day (third Monday in February)
  - 4. Good Friday (Friday before Easter);
  - 5. Memorial Day (last Monday in May);
  - 6. Independence Day (July 4);
  - 7. Labor Day (first Monday in September);
  - 8. Veterans' Day (November 11)
  - 9. Thanksgiving Day (fourth Thursday in November);
  - 10. Day after Thanksgiving (fourth Friday in November);
  - 11. Christmas Eve (December 24); and
  - 12. Christmas Day (December 25).

Additional days may be designated by the City Council.

- B. A fire fighter shall be granted the same number of vacation days and holidays, or days in lieu of vacation days or holidays, granted to other municipal employees, at least one of which shall be designated as September 11<sup>th</sup>.

Fire fighters receive September 11<sup>th</sup> as a holiday, but it does not increase the total number of holidays received. It is an optional holiday for fire fighters.

If a fire fighter chooses to take September 11<sup>th</sup> as a holiday, the Veterans Day (November 11<sup>th</sup>) will be the holiday deducted from the total accrued holidays to keep the number of holidays the same as what is granted to other municipal employees.

- C. When an official holiday occurs on a weekend, the following alternative schedule applies:
1. A holiday that occurs on a Saturday shall be taken on the Friday before the holiday; and
  2. A holiday that occurs on a Sunday shall be taken on the Monday after the holiday.
- D. An employee shall receive holiday pay equivalent to a standard workday.
- E. An employee shall not receive pay for a holiday if he is:
1. Absent without approval either the day before or the day following an official holiday; or
  2. Absent without approval, as defined by the employee's department policy, on a holiday on which the employee is normally scheduled to work.
- F. An official holiday occurring while any eligible paid leave is being taken shall be reflected as a holiday for payroll purposes and no deduction shall be made for the holiday.
- G. Employees may accrue unused holiday leave; however, the maximum amount of holiday leave that may be accrued is 96 hours. Any accrued holiday leave greater than 96 hours as of September 30 each year will be deducted.
- H. Employees wishing to observe religious or other holidays not listed herein should request time off from their immediate supervisor. Priority consideration shall be given for time off from work for observance of

religious holidays not provided for in section 4.08. Any approved time off for such religious holidays shall have the time charged to vacation, comp or holiday leave time, if available.

The request must be submitted in writing at least 7 days prior to the requested time off. A request by an employee for time off to observe a religious holiday will not be denied unless (1) the employee has inadequate accrued vacation, compensatory or holiday time to cover such period of absence; or (2) the duties performed by the employee are urgently required and the employee, in the judgment of the supervisor, is the only person available who can perform the duties without creating additional financial costs and expenses, or resulting in personnel problems.

#### **4.09 Vacation Leave**

All regular full-time employees shall earn and accrue vacation leave based on the service an employee has attained during each calendar year.

In the year of hire, regular full-time employees shall accrue vacation leave during their first six (6) months of employment, but vacation leave may not be used until after completion of six (6) months of service. Eligibility for, and accrual rate of, vacation benefits is determined by the date of regular full-time employment (number of full months worked prior to the first day of each new calendar year) and length of service provided to the City.

- A. Regular 80 hour full-time employees with up to three (3) years of continuous regular full-time service with the City shall accrue vacation leave at a rate of 3.08 hours per pay period. Regular 80 hour full-time employees who have completed three (3) years or more and up to ten (10) years of continuous regular full-time service with the City shall accrue vacation leave at a rate of 4.62 hours per pay period. Regular 80 hour full-time employees who have completed ten (10) years or more of continuous regular full-time service with the City shall accrue vacation leave at a rate of 6.16 hours per pay period. Regular 86 hour full-time employees with up to three (3) years of continuous regular full-time service with the City shall accrue vacation leave at a rate of 3.31 hours per pay period. Regular 86 hour full-time employees who have completed three (3) years or more and up to ten (10) years of continuous regular full-time service with the City shall accrue vacation leave at a rate of 4.97 hours per pay period. Regular 86 hour full-time employees who have completed ten (10) years or more of continuous regular full-time service with the City shall accrue vacation leave at a rate of 6.62 hours per pay period. For applicable Fire Department personnel whose overtime is governed by Section 207(k) of the Fair Labor Standards Act, as amended, vacation leave shall be earned

as follows: 1 through 3 years of continuous full-time service with the City, 4.62 hours per pay period; 4 through 9 years of continuous full-time service with the City, 6.47 hours per pay period; and 10 years or more of continuous full-time service with the City, 9.23 hours per pay period.

- B. Regular part-time employees who work at least twenty (20) hours per week for twelve (12) consecutive months shall be allowed vacation leave with pay at one-half (1/2) the rate of regular full-time employees.
- C. Departmental Management shall schedule an employee's vacation giving consideration to the ability of the remaining staff to perform the work of the department. The employee has the responsibility to assure that the leave request is made within a reasonable length of time prior to the commencement of the leave.
- D. Employees may accrue unused vacation leave; however, the maximum amount of vacation leave that may be accrued is 240 hours. Any accrued vacation leave greater than 240 hours as of September 30 each year will be deducted.
- E. Employees do not earn vacation leave while on a leave of absence without pay.
- F. Employees with a least one (1) year service, who separate in good standing, shall be paid for any accrued vacation leave up to two hundred and forty (240) hours.
- G. Employees may "sell back" up to five (5) vacation days to the City during June and December each year. If vacation time is "sold back" to the City, each day "sold back" will be deducted from the employee's accrued vacation leave balance.

#### **4.10 Sick Leave**

The intent of sick leave is to prevent a loss of income to an employee who is absent due to an injury or illness which is not job-related. Should such an injury or illness occur to an employee, continued income should be insured through the use of sick leave. Sick leave may also be used for maternity reasons.

All regular full-time employees shall earn and accrue sick leave based on the service an employee has attained during each calendar year.

Eligibility for, and accrual rate of, sick leave is determined by the date of regular full-time employment (number of full months worked prior to the first day of each new calendar year) and length of service provided to the City.

- A. Regular 80 hour full-time employees with up to four (4) years of continuous regular full-time service with the City shall accrue sick leave at a rate of 3.08 hours per pay period. Regular 80 hour full-time employees who have completed three (3) years or more and up to ten (10) years of continuous regular full-time service with the City shall accrue sick leave at a rate of 4.62 hours per pay period. Regular 80 hour full-time employees who have completed ten (10) years or more of continuous regular full-time service with the City shall accrue sick leave at a rate of 6.16 hours per pay period. Regular 86 hour full-time employees with up to four (4) years of continuous regular full-time service with the City shall accrue sick leave at a rate of 3.31 hours per pay period. Regular 86 hour full-time employees who have completed three (3) years or more and up to ten (10) years of continuous regular full-time service with the City shall accrue sick leave at a rate of 4.97 hours per pay period. Regular 86 hour full-time employees who have completed ten (10) years or more of continuous regular full-time service with the City shall accrue sick leave at a rate of 6.62 hours per pay period. For applicable Fire Department personnel whose overtime is governed by Section 207(k) of the Fair Labor Standards Act, as amended, sick leave shall be earned as follows: 1 through 3 years of continuous full-time service with the City, 4.62 hours per pay period; 4 through 9 years of continuous full-time service with the City, 6.47 hours per pay period; and 10 years or more of continuous full-time service with the City, 9.23 hours per pay period.
- B Any accrued but unused sick leave shall be carried to the employee's credits for the following year up to 90 days (720 hours).
- C. Regular full-time employees accrue sick leave during their first six (6) months of employment but are not eligible to use the leave upon accrual.
- D. Frequent claiming of sick leave may constitute grounds for the assumption of management that the employee is unable to perform the essential functions of the job.
- E. After an employee's accumulated sick leave has been exhausted, accrued vacation leave may be used as sick leave with approval of the employee's Department Head, provided there has been no abuse of sick leave and that all provisions of the sick leave policy are met. When absence due to illness exceeds the amount of paid leave earned, transferred and/or authorized, the pay of an employee shall be discontinued.
- F. Sick leave may be allowed in case of doctor appointments, personal illness, physical incapacity of an employee, employee's spouse, children, parents or spouse's parents, grandparents, any step relationship of the foregoing or a dependent residing in the employee's household.

- G. Employees who are absent due to illness for three (3) or more consecutive days shall be required to provide their supervisor with sufficient documentation from a licensed physician. The Department Head at his discretion may request documentation for any sick leave taken.
- H. A supervisor shall be responsible to notify the Human Resources Department when an employee is absent due to illness for seven (7) consecutive work days so the time may be evaluated for family and medical leave status.
- I. Notice of employee absence due to a non job-related injury or illness must be given daily by the employee to that employee's immediate supervisor or Department Head no later than thirty (30) minutes after the beginning of the employee's work shift. Failure to do so may cause the employee's absence to be charged to leave without pay. Emergency situations which might prevent compliance with the provisions of this paragraph shall be taken into consideration by the supervisor or Department Head.
- J. Department Heads and supervisors are authorized to undertake any investigations of sick leave claimed by an employee which they may deem necessary or to disapprove any claims not properly substantiated.
- K. An employee who has been absent because of illness or injury may be required to submit to an examination by a licensed physician or health care provider at the City's expense. In such cases, the employee may return to work upon approval of the City's examining physician or health care provider. Authorization for disclosure of all reports to the City, including contacting and discussing health-related issues with any physician or health care provider shall be a condition of continued employment with the City. The City also may require employees to return to a physician or health care provider for additional evaluation or information.
- L. An employee who is released by an examining physician to return to regular duty and refuses to report for work or perform his assigned duties is subject to disciplinary action, up to and including termination.
- M. Sick leave may not be taken by any employee who is unable to work and is receiving workers' compensation benefits.
- N. An employee on disciplinary suspension forfeits all claims to use sick leave for the duration of the disciplinary suspension.
- O. Accrued sick leave shall not be paid to any City employee upon separation from employment with the City; however, if an employee retires from the

City, that employee will be compensated for any accrued sick leave, not to exceed 720 hours and further, if an employee dies while in City service, the employee's designated beneficiary shall receive a lump sum payment of the deceased employee's full amount of unused sick leave.

- P. Sick leave shall not be taken by any employee after giving notice of separation from employment with the City. Request to take sick time during the notice period may be approved by the employee's Department Head and City Manager.
- Q. Permanent part-time employees who work at least twenty (20) hours per week for twelve (12) consecutive months shall be allowed sick leave with pay at one-half (1/2) the rate of regular full-time employees.
- R. Employees may have up to forty (40) sick hours "bought back" from the City in September. Employees must keep a minimum of forty (40) sick hours accrued before buying back up to forty (40) sick hours. Each day sold back is deducted from the employee's accrued sick leave balance.

S. Sick leave credits are transferable between employees, upon request by an employee, pursuant to the conditions contained herein. These conditions shall be limited to an employee's long-term, non-job-related injury or illness, which renders the employee unable to perform the essential functions of his job, or the long-term injury or illness of the employee's spouse, children or parents. This does not include maternity reasons. A maximum of twelve (12) weeks may be provided to the employee. The employee requesting transferred credits must have exhausted all accrued leave (with the exception that an employee may retain up to 40 hours of his accrued leave). Those employees eligible to participate in this sick leave transfer program are regular full-time employees who have completed six (6) months of continuous regular full-time employment with the City.

Requests for sick leave credits should be requested in writing thru the Department Head. The Department Head will sign and forward the request to the Human Resources department. Human Resources staff will notify all City of Roanoke employees that a request has been made for donated hours. Upon receipt of donated hours, the Human Resources department will transfer the donated hours. These provisions may be applied by the City Manager as he or she deems equitable and there is no right of appeal of any decision related hereto by the City Manager.

#### **4.11 Bereavement Leave**

Regular employees may be granted up to three (3) days off with pay per circumstance to arrange or attend the funeral of a member of the immediate family. Any additional time off must be approved by the supervisor and will be deducted from eligible accumulated leave. For the purposes of this policy, "immediate family" means

an employee's spouse, children, parents, parents-in-law, grandparents, grandchildren, brothers, sisters, or a member of the employee's household.

Any request for bereavement leave must be initiated with an employee's supervisor and be processed through Human Resources.

#### **4.12 Family and Medical Leave**

- A. Regular employees who have completed one (1) year of employment with the City and worked at least 1,250 hours are entitled to receive family and medical leave (also called "FMLA Leave") during a calendar year for one or more of the reasons listed below:
  - 1. Birth of a child of the employee in order to care for such child (leave must be taken within a twelve (12) month period after birth);
  - 2. Upon the placement of a child with the employee for adoption or foster care (leave must be taken within a twelve (12) month period after placement);
  - 3. To care for the employee's spouse, son, daughter or parent who has a serious health condition; or
  - 4. When the employee is unable to perform the essential functions of his position because of a serious health condition.
  
- B. The provisions for using FMLA leave for items 1 through 4, listed above, are as follows:
  - 1. An employee who has no accrued paid leave must receive unpaid family and medical leave up to twelve (12) weeks;
  - 2. An employee who has less than twelve (12) weeks of accrued paid leave must first use the accrued paid leave toward the twelve (12) weeks; thereafter, the remaining balance of the twelve (12) weeks shall be unpaid FMLA leave;
  - 3. An employee who has more than twelve (12) weeks of accrued paid leave may use the accrued paid leave over and beyond the twelve (12) weeks, if necessary, for family and medical leave causes, only upon review by the Human Resources Department and approval by the City Manager; and
  - 4. FMLA leave may be paid or unpaid.

- C. To be eligible for FMLA leave, proof of a serious health condition must be certified by a health care provider, as defined by the FMLA. An employee may be required to submit periodic written status reports to the Human Resources Department.
- F. This policy does not affect the accrual or usage of leave provisions (*i.e.*, vacation, sick or holiday).
- E. An employee shall continue to receive health insurance benefits during FMLA leave. The City shall continue paying its portion and the employee shall continue to pay his portion of health insurance benefits.
- F. FMLA leave may be delayed or denied due to the failure of an employee to adhere to these Regulations.
- G. Further information regarding the federal regulations concerning the Family and Medical Leave Act will be in the Human Resources Department.

#### **4.13 Jury Leave**

- A. An employee shall be granted paid jury leave when he is summoned for jury duty.
- B. The employee must notify his supervisor upon receiving a summons for which jury leave is requested. A copy of the summons must be submitted to the employee's supervisor.
- C. All fees paid and expenses reimbursed by the court may be retained by the employee.
- D. Employees shall report to work on any business day or partial day when the jury/court is not in session.

#### **4.14 Voting**

The City encourages all employees to fulfill their civic responsibilities by participating in elections; however, all employees should make every effort to vote outside normal working hours. If employees are unable to vote in an election during their non-working hours, the City shall allow employees to use accrued vacation leave for the number of hours necessary for the employee to vote.

Employees should request time off to vote from their supervisor at least two (2) working days prior to the election day so that necessary time off may be scheduled at

the beginning or end of the work period, whichever provides the least disruption to the normal work schedule.

#### **4.15 Military Leave**

- A. Paid leave for the purpose of responding to orders of military services as a member of the active service, reserve units, National Guard, or other official special military units shall be granted to all full-time employees for a maximum of fifteen (15) work days per calendar year subject to the following conditions:
1. All requests for leave must be made within fifteen (15) days of the first day for which leave is requested and must be accompanied within a reasonable period of time by a copy of the order, directive, notice, or other document requiring absence from scheduled work;
  2. Leave pay shall not be granted for hours before or after the regularly scheduled working hours or for overtime hours scheduled;
  3. Travel time included in the orders and paid for or reimbursed by the service shall be counted as military leave;
  4. Military leave shall not be granted for a diagnosis or treatment of any service-connected sickness or disability, for obtaining or sustaining any disability rating or for treatment at any governmental facilities;
  5. Time required for physical examinations for selection or admission to the military service to determine or maintain a selected service rating or to maintain a reserve status shall be counted as military leave. Pay shall be limited to the regularly scheduled hours lost;
  6. Time over and above the fifteen (15) day maximum allowed must be taken as eligible accrued leave or unpaid leave; and
  7. The conditions of the preceding subsections shall be applied as required by applicable federal and state law.
- B. Any full-time employee who leaves his position for the purpose of entering any branch of the United States armed forces for extended active duty shall be placed in military active duty status and administratively separated from City employment.
- C. In accordance with Chapter 43 of Title 38, United States Code, entitled "Employment and Reemployment Rights of members of the Uniformed Services," an employee may serve a total of four (4) years of active duty in

the armed forces, and an additional one (1) year as requested by the United States government, and still be eligible for reappointment to his City position. An employee's right to reappointment is not protected for periods of military active duty longer than five (5) years.

D. A full-time employee who leaves City employment to enter active military service shall be restored to employment in the same position held upon entrance to active military service, or in a position of comparable status and pay, if the employee:

1. Is physically and mentally qualified to perform the essential duties of the position;
2. Was discharged, separated, or released from active military service under honorable or general conditions;
3. Has not been in active military service for more than five (5) years; and
4. Makes written application for reappointment and presents evidence of the discharge, release, or separation from military service according to the following schedule:

<b>Length of Period of Service</b>	<b>Reapply No Later Than</b>
Less than 31 days	Next regular work day after completion of service and time to travel from place of service to residence
More than 30 days, but less than 180 days	Fourteen (14) days after completion of service
More than 180 days	Ninety (90) days after completion of service

E. An employee shall be allowed full credit for time spent in the military service for the purpose of computing the rate of accrual of vacation leave.

**4.16 Workers' Compensation Leave**

A. Any City employee becomes eligible for Workers' Compensation when he is injured in the scope of his employment for the City of Roanoke.

- B. When the attending physician has instructed the employee, in writing, to remain off the job until the physician releases the employee to return to work, Texas state law prescribes that an employee shall receive Workers' Compensation payments during the recovery and recuperation period. An injured employee is entitled to medical aid and hospital services which are required at the time of injury and at any time thereafter, as may be necessary to cure and relieve the effects of the injury.
- C. The Human Resources Department is responsible for administering, pursuant to the requirements of state law, the City's Workers' Compensation program.
- D. A full-time employee who is injured on the job shall be granted injury leave not charged against his sick leave or vacation leave, to extend for such time as a physician shall certify that the injured employee is unable to work.
- E. During the first twelve (12) weeks of such injury leave, the leave shall not be charged against sick leave nor vacation leave, and runs concurrently with Family and Medical Leave. Regular full-time employees shall continue to receive their current rate of pay, exclusive of overtime. During such injury leave, the City shall pay such employee as direct payments from salary funds an amount that, when combined with workers' compensation insurance benefits payable to such employee, would equal his base pay, but the total amount so paid for loss of time from work shall not exceed the full pay which such employee would have received for such period at his regular rate of pay.
- F. No employee may return to work from an injury involving lost time without first obtaining a physician's release. The physician's release must be forwarded to the Human Resources Department.
- G. An employee injured in the scope of his employment for the City is subject to alcohol/substance screening.

#### **4.17 Modified (or Limited) Duty**

As appropriate and available, the City will expect the employee to return to modified or limited duty for work-related injuries or illnesses when an employee is unable to perform the essential functions of his current job.

#### **4.18 Leave Without Pay**

Leave without pay is granted as a matter of administrative discretion. No employee may demand leave without pay as a matter of right, but it may be granted to

any regular employee. The position of any City employee who is on leave without pay may be filled on an interim basis.

An employee's Department Head may authorize leave without pay for a period not to exceed five (5) consecutive workdays. Leave without pay in excess of five (5) consecutive workdays must be approved by the Department Head and the City Manager. While on leave without pay, an employee shall remain eligible for health insurance benefits; however, the employee's portion of any additional premiums, supplemental insurance and dependent coverage must be paid by the employee during such leave.

#### **4.19 Leave of Absence**

A full-time employee may be granted a leave of absence without pay for a period not to exceed six (6) months. While on leave of absence, an employee shall remain eligible for health insurance benefits; however, the total cost of such health insurance, dependent insurance coverage and supplemental benefits must be paid by the employee during such leave. All requests for leave of absence must be approved by the City Manager. Further, any employee on leave without pay for one (1) month or longer shall not accrue sick or vacation leave.

At the expiration of the leave of absence term, the employee may be allowed to return to his former job with the City or to a comparable job for which the employee is qualified, depending on the availability of such positions and the City's needs.

#### **4.20 Exceptions**

Any exceptions to the benefits or benefit levels described in this Chapter require the advance approval of the City Manager and shall be documented in the employee's personnel records with the City Manager's signature.

#### **4.21 Educational Assistance**

This policy is to assist employees with tuition costs from recognized and accredited institutions of higher learning.

Educational assistance for the amount of course tuition and lab fees may be provided to regular full-time employees, who have completed their six month introductory period, and upon prior written approval by the Department Head. To receive approval, the educational course must meet the following criteria:

1. Advance the skill and current job performance of the employee in his/her existing employment position with the City of Roanoke;

2. Request for educational assistance must be presented in writing to the Department Head before the start or registration period of the course;
3. The student must maintain and receive a minimum course grade of “C” and
4. The educational course must be in the best interest of the City of Roanoke.

The amount of reimbursement will equal to the actual cost, not to exceed the State of Texas university system credit-hour rate for undergraduate or graduate courses as applicable.

The employee will be required to present documentation of successful completion of the educational course along with a receipt for course tuition and lab fees to receive reimbursement of 100% from the City. Educational assistance does **not** cover reimbursement of the cost of books or course materials.

#### **4.22 Inclement/Bad weather**

The City Manager is responsible for determining whether or not City Hall will be open for normal business during inclement weather. This decision will be based on consultation with the Mayor, information from the media, and/or personal judgment. Unless you are personally notified by your supervisor, or their designee, it can be assumed that City Hall will be open for regular business.

##### **A. Impact of City Hall Being Open for Normal Business**

If City Hall is open for normal business, any employee that is not able to be at work will lose one day of accrued leave. The employee can decide which benefit they will use to satisfy this deduction.

##### **B. Impact of City Hall Being Closed for Normal Business**

If City Hall is not open for normal business, then non-emergency personnel, which is every City employee except the Police, Fire and Public Works departments, shall be paid as if they worked this day. Any emergency employee that does work, will be paid and also credited with a vacation time for the hours worked.

## **4.23 Retiree Insurance Benefits**

### **A. Eligibility**

To be eligible for retiree health plan, the retiree must have 5 years of consecutive full-time service with the City of Roanoke immediately prior to TRMS service retirement

An employee that leaves the employment of the City by filing for retirement through TMRS will be eligible to continue the City's health insurance. An employee becomes eligible to retire under TMRS after either twenty (20) years of service, or after a minimum of five (5) years of service at age 60.

Retirees who elect COBRA cannot later elect retiree coverage. To be eligible for coverage and employee must qualify under all three of the following:

1. The retiree must have been covered for medical benefits under the City Health Plan as an employee immediately prior to termination of employment and
2. Apply for pension benefits from TMRS in accordance with their requirements and deadlines, but in no event later than thirty days from termination of employment; and
3. Enroll for retiree Health coverage within thirty-one days of the date of termination.

A dependent not covered under the City's health benefit plan or an employee who opts out of the health benefit plan at the time the employee retires, is not eligible for coverage under this subsection.

If a retiree elects to continue coverage for a dependent that is covered at the time the employee retires, and on a subsequent date elects to discontinue coverage for that dependent, the dependent is no longer eligible for coverage.

Survivor benefits: In the event the retiree predeceases the retiree's spouse in death, the surviving spouse may maintain the insurance benefits, provided the retiree was on the insurance plan at the time of the retiree's death. The surviving spouse will be given the designation of "retiree" and all premiums and eligibility will be defined as such.

### **B. Electing/Changing Coverage**

If a retiree does not elect insurance at the time of retirement, the retiree forfeits any future right to coverage as well as eligible dependents under the plans not elected. Any plan terminated at time of or after retire will not be reinstated. Insurance elected at the time of retirement will be the only insurance available to the retiree in the future.

The retiree must re-enroll yearly during open enrollment to continue to receive retiree health benefits the following calendar year. Coverage is not automatically continued. Increasing the level of coverage (i.e. retiree only to retiree plus spouse) will not be allowed

A retiree may add or drop dependents if related to a "qualified event", such as marriage, divorce, birth, adoption or death. Changes must be made within 30 days by providing written notice to the HR dept

Retirees beyond the age of 65 may be required to elect an alternate plan based upon the definitions outlined by the insurance carrier.

#### C. Procedures for Payment

The retiree is responsible for payment of the health benefit premium for coverage. All payments will be automatic bank draft. No cash/check payments accepted.

Premiums are due on the 10th of each month payable by automatic bank draft. Any fees related to NSF (insufficient) funds or returned drafts will be required to be paid by the retiree. Two (2) draft rejects in a twelve (12) month period will result in automatic cancellation of the retiree's insurance.

When signing an agreement to provide for the automatic bank draft, the retiree is authorizing the City to make appropriate change to the draft amount when coverage changes or when the premiums change.

#### D. City Contribution

The City will not provide any finance contribution to vision or dental insurances premiums for retirees. The City will contribute a flat rate per month to retiree health insurance premiums. This rate will equal the current "dependent subsidy" rate. This rate is subject to change.

#### E. Changes/modification to policy

While it is not the City's intention to make routine modifications to this policy, the City may modify this policy if deemed in the best interest of the City and reserves the right to amend/modify coverage and contributions.

## CHAPTER 5: RULES OF CONDUCT

### 5.01 Drug-Free Workplace

It is the desire of the City of Roanoke to provide a drug-free, healthful and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

Violations of this policy may lead to disciplinary action, up to and including termination of employment.

The City has a “no tolerance” policy, whereby employees who test positive as a result of drug or alcohol testing, or who refuse to submit to a lawful drug or alcohol test, shall be terminated. Employees who are terminated as a result of testing positive for drugs or alcohol or refusing to submit to a drug or alcohol test shall not be considered for re-employment with the City.

For the purposes of this section, the term “drug” includes alcohol, prescription drugs when not taken as directed by the employee’s doctor, illegal inhalants and illegal drugs.

- A. While on the City premises and while conducting business-related activities off City premises, no employee may use, possess, distribute, sell or be under the influence of alcohol or drugs.
  - 1. The legal use of prescribed drugs or over-the-counter medications taken for a current health condition is permitted on the job only if it does not impair an employee’s ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.
  - 2. Any employee who is legally taking a prescription drug or over-the-counter medication that may impair his ability to perform the essential functions of the job effectively and in a safe manner shall inform his supervisor that he is taking such prescription drug or over-the-counter medication.
- B. An employee’s voluntary disclosure of a chemical dependency problem may result in required participation in a substance abuse or related rehabilitation or treatment program. An employee may not provide a “voluntary disclosure” upon being notified that he must submit to a drug or alcohol test.
  - 1. Employees with questions or concerns about substance dependency or abuse may also wish to discuss these matters with their supervisor or the Human Resources Department to receive assistance or referrals to appropriate resources in the community.

2. Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program through the City's health insurance benefit coverage. Leave may be granted if the employee agrees to abstain from use of any substance not prescribed or approved by his attending physician; abides by all City policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave shall not cause the City any undue hardship.
- C. Under the Drug-Free Workplace Act, any employee must notify the Human Resources Department of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five (5) days of the conviction.
- D. Employee Drug Testing: All employees of the City of Roanoke are subject to drug and/or alcohol testing. The following tests shall be conducted:
1. Employment and alcohol drug tests shall be conducted before applicants are hired.
  2. Post-motor vehicle accident alcohol and drug tests shall be conducted on all employees as soon as practical following an accident.
  3. Alcohol and drug testing shall also be conducted when a trained supervisor has reasonable suspicion, or observes behavior, speech, appearance or body odors, that may be characteristic of misuse of drugs or alcohol. Drug and alcohol testing shall occur as soon as practical following the supervisor's observation. The supervisor shall document his observations and forward the document to the Human Resources Department.
- E. U.S. Department of Transportation Drug and Alcohol Testing – Employees with a Commercial Drivers License (CDL):
1. The City of Roanoke shall comply with the Department of Transportation rules requiring drivers who hold a position requiring a Commercial Drivers License (CDL) to submit to random alcohol and drug testing, effective October 1, 1996, and as may be amended.
  2. Employees holding a position that requires a commercial driver's license shall be tested on a random, unannounced basis for drugs and alcohol. The testing shall be performed with unpredictable frequency throughout the year. Employees shall be randomly selected for testing from a pool of employees who hold a

commercial driver's license. Random drug and alcohol testing shall be conducted just before driving, after driving, or while an employee is on call to drive.

- F. Employees with questions on this policy, issues related to drug or alcohol use in the workplace, or the required U.S. Department of Transportation's Drug and Alcohol Testing rules, should raise their concerns with the supervisor or the Human Resources Department without fear of reprisal.

## **5.02 Harassment**

It is the policy of the City of Roanoke that all employees have the right to work in an environment free of all forms of harassment. No form of harassment will be tolerated, including harassment based on any of the following: race, national origin, religion, disability, pregnancy, age, military status, sex or other protected status. Therefore, the City of Roanoke will take direct and immediate action to prevent such behavior and to remedy all reported instances of harassment, with special attention paid to the prohibition of sexual harassment.

Harassment is generally defined as unwarranted and unwanted verbal or nonverbal conduct which threatens, intimidates, pesters, annoys or insults another person, where such conduct has the purpose of creating an offensive, intimidating, degrading or hostile environment, or interferes with or adversely affects a person's work performance.

Sexual harassment is defined as 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 used as a basis for an employment decision affecting that individual; or
3. Such conduct has a purpose or effect of substantially interfering with an individual's professional performance or creating an intimidating, hostile or offensive employment environment.

Sexual harassment of any type, including jokes, the exhibition of pictures, diagrams, and cartoons, is strictly prohibited and shall not be tolerated. Supervisory personnel are required to take immediate and positive steps to eliminate any form of sexual harassment when it comes to their attention.

Employees encountering harassment should tell the person that their actions are unwelcome and offensive. Any employee who believes that a supervisor's, other employee's or non-employee's actions or words constitute harassment has a responsibility to report or complain about the situation as soon as possible to his

supervisor. This will ensure that steps may be taken as necessary to protect the employee from further harassment, and appropriate investigative and disciplinary measures initiated. Where it is not practical for the person being harassed to tell his supervisor, the employee should instead file a complaint with his Department Head or directly with the Human Resources Department.

The Human Resources Department or appropriate person(s), as designated by the City Manager, will be responsible for the investigation of any complaint alleging harassment.

### **5.03 Performance Standards**

The City of Roanoke expects every employee to consistently maintain satisfactory performance standards. Continuing performance deficiencies, unlike the isolated violations noted in the subsequent sections of this chapter, should first be addressed by the mutually cooperative efforts of the supervisor and employee. Those efforts include but are not limited to:

- An analysis of the problem;
- A determination of needed changes and assistance; and
- Implementation of a corrective plan of action and establishment of achievement dates.

If performance standards are not met within a reasonable period of time, the employee, depending upon the reasons for failure, may be transferred, demoted or terminated. The specific action taken and the status of the employee determine what, if any, appeal rights are available to the employee.

The following types of conduct are unacceptable and may be cause for discipline in the form of a documented oral reprimand, written reprimand, suspension, demotion or termination, depending upon the facts and circumstances of each case. The examples given below are typical, but not all-inclusive:

- A. **Unsatisfactory attendance** is exemplified by, but is not limited to, the following violations:
  1. Unexcused absence or tardiness;
  2. Failure to give notice of an absence or tardiness to the supervisor within thirty (30) minutes after starting time or as may be prescribed by departmental policy;
  3. Separate absences or days of tardiness which exceed the average absences of days of tardiness of the employee's work group and which lack sufficient justification;

4. Absence or tardiness that causes significant curtailment or disruption of services without sufficient justification; or
  5. Abuse of leave, such that the employee's absence from the workplace renders him unable to perform the essential functions of the job at a satisfactory level, except as covered by the Family and Medical Leave Act.
- B. **Frequent claiming of sick leave** may constitute grounds for the assumption of the Department Head that the physical condition of an employee is below the standard required for the employee to perform the essential functions of the job.
- C. **Abandonment** occurs when an employee deliberately and without authorization is absent from the job or refuses a legitimate order to report to work, for three (3) consecutive work days. An employee failing to report for duty or remain at work as scheduled without proper notification, authorization or excuse shall be considered absent without leave, which constitutes abandonment of duties, and shall not be in pay status for the time involved. Absence for three (3) days without proper notification or without satisfactory reason shall be considered job abandonment and the employee shall be terminated. The employee shall be ineligible for payment of accumulated vacation or sick leave.
- D. **Inability to come to work** occurs when an employee is absent due to an extended illness or injury after all eligible leave has been exhausted, except when the employee's absence is covered by the Family and Medical Leave Act.
- E. **Inability or unwillingness to perform assigned work satisfactorily** is exemplified by, but is not limited to, the following violations:
1. Failure to follow routine written or verbal instructions;
  2. Arguing over assignments or instructions; or
  3. An accumulation of other deficiencies indicating the employee's continuing failure to adequately perform in a productive, efficient and competent manner.
- F. **Indifference toward work** is exemplified by, but is not limited to, the following violations:
1. Inattention, inefficiency, loafing, sleeping, carelessness or negligence;

2. Reading unauthorized material, playing games, watching television, movies or videocassettes, accessing unauthorized Internet sites, unauthorized e-mail usage or otherwise engaging in entertainment while on the job and/or in view of the public;
3. Excessive failure to remain at one's work station without notifying his supervisor, leaving work without permission or taking excessive time or more time than allowed for eating or break periods;
4. Performance of personal business;
5. Interference with the work of others; or
6. Discourteous or irresponsible treatment of the public or other employees.

G. **Sabotage** is exemplified by, but is not limited to, the following violations:

1. Deliberate damage to or destruction of City equipment or property;
2. Defacing of City property;
3. Unauthorized alteration, removal, destruction or disclosure of City records;
4. Advocacy of or participation in unlawful trespass or seizure of City property;
5. Encouraging or engaging in slowdowns, sit-ins, strikes or other concerted actions or efforts to limit or restrict employees from working;
6. Encouraging City employees to disobey provisions of these rules and regulations, City ordinances or other laws;
7. Interference with the public use of or access to City services, properties or buildings; or
8. Threats to commit any act of sabotage as defined in this subparagraph.

H. **Safety violations** are exemplified by, but are not limited to, the following violations:

1. Failure to follow City or departmental safety rules and regulations;
2. Failure to use required safety apparel;

3. Removal or circumvention of a safety device;
4. Lifting in a manner that may cause injury;
5. Operations of a vehicle or other equipment in an unsafe, negligent or careless manner;
6. Smoking in a prohibited area;
7. Endangering of one's own safety or that of others by careless or irresponsible actions or negligence;
8. Failure to report an on-the-job injury, vehicle accident or unsafe working condition;
9. Failure of a supervisor to remove from the workplace or to assist to a safe location an employee whose mental capabilities are impaired due to injury, illness, alcohol or drug use, or emotional distress; or
10. Failure to maintain a driving record acceptable to the City.

I. **Dishonesty** is exemplified by, but is not limited to, the following violations:

1. Acceptance of money or anything of value from a person subject to the regulatory decision or supervision of the employees;
2. Cheating, forging or willful falsification of official City reports or records;
3. False reporting of the reason for a paid leave of absence;
4. Any other falsifying action detrimental to the City, City employees or others; or
5. False swearing or false testimony.

J. **Theft**, regardless of item value, is exemplified by, but is not limited to, the following violations:

1. Unauthorized taking of City property, City supplies or the property of others;
2. Unauthorized use of City or employee funds;
3. Using or authorizing the use of City equipment, supplies or employee services for other than official City business, including

the unauthorized use of long distance or pay telephone services (including "900" toll calls); or

4. Using or authorizing the use of City equipment or employee services without proper authority.

K. **Insubordination** is exemplified by, but is not limited to, the following violations:

1. Willful failure or refusal to follow the specific orders or instructions of a supervisor or higher authority; or
2. Pursuit of a denied request to a higher authority without revealing the lower level disposition; provided that:
  - a. If the employee believes an instruction or order is improper, he should request an interpretation of the next higher level of authority; or
  - b. If the employee believes the instruction or order, if followed, would result in physical injury to the employee or others, or damage to City 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.

L. **Abuse of drugs or alcohol.**

1. Abuse of drugs or alcohol is exemplified by, but is not limited to, the following violations:
  - a. An employee is judged unable to perform duties in an effective and safe manner due to:
    - (1) ingestion, inhalation or injection of a drug; or
    - (2) ingestion of an alcoholic beverage;
  - b. An employee possesses or ingests, inhales or injects into his body a drug:
    - (1) during working hours and lunch periods;
    - (2) in a City vehicle;
    - (3) on City property; or

- c. An employee possesses or ingests an alcoholic beverage:
  - (1) during working hours and lunch periods;
  - (2) in a City vehicle; or
  - (3) on City property, except at an authorized City event.

2. In this section:

- a. "Drug" means a controlled substance as defined by Chapter 481 of the Texas Health and Safety Code, as may hereafter be amended.
- b. "Alcoholic beverage" means alcohol or 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.

M. **Disturbance** is exemplified by, but is not limited to, the following violations:

- 1. Fighting or boisterous conduct;
- 2. Deliberate causing of physical injury to another employee or citizen;
- 3. Harassment, as defined by the Texas Penal Code, or intimidation;
- 4. Unnecessary disruption of the work area;
- 5. Use of profane, abusive, threatening or loud and boisterous language;
- 6. Sexual harassment;
- 7. Spreading of false reports; or
- 8. Other disruption of the harmonious relations among employees or between employees and the public.

N. **Abuse of City property** is exemplified by, but is not limited to, the following violations:

- 1. Intentional, careless or negligent damage or destruction of City equipment or property;
- 2. Waste of materials or negligent loss of tools or materials;

3. Improper maintenance of equipment;
  4. Damage caused by use of tools or equipment for purposes other than that for which the tool or equipment was intended; or
  5. Unauthorized Internet or e-mail usage.
- O. **Misconduct** is any criminal offense or immoral conduct, during or off working hours, which, on becoming public knowledge, could have an adverse effect on the City or the confidence of the public in City government. "Criminal offense" means any act constituting a violation of law and/or resulting in charges being filed, arrest or confinement.
- P. **Disregard of public trust** is any conduct, during or off working hours, which, on becoming public knowledge, could impair the public's confidence or trust in the operation of City government.
- Q. **Failure to report a violation** is exemplified by, but not limited to, failure to report to the proper authority any known violation described in Subsections F, G, H, I, J, K, L or M.
- R. An employee shall maintain sufficient competence to properly perform his duties and to assume the responsibilities of his position. He shall direct and coordinate his efforts in a manner that will tend to establish and maintain the highest standards of efficiency in carrying out the functions and objectives of the City. The fact that the employee was deemed competent at the time of employment shall not preclude a judgment of incompetence as the result of job performance deficiencies. Apart from, or in addition to, other methods of proof of incompetence, such as failure to achieve and maintain acceptable job proficiency and to accept and execute duties, responsibilities, instructions and orders with minimum supervision, a written record of repeated disciplinary actions for infractions of policies, rules, regulations, manuals or directives, or repeated adverse counseling reports and/or evaluations reflecting need for improvement or indicating performance inadequacies, will be considered prima facie evidence of incompetence.
- S. No employee shall discriminate against any individual on the basis of race, color, creed, religion, gender, national origin, age, disability or physical handicap.
- T. An employee shall maintain a neat, well-groomed appearance and style his hair and wear his uniform or other apparel in accordance with individually established departmental standards.

- U. An employee shall maintain high standards of moral conduct in his personal affairs and shall not be a participant in any incident involving moral turpitude that tends to or does impair his ability to perform as a City employee or cause the City to be brought into disrepute.
- V. An employee shall refrain from undertaking any financial obligation that he knows, or should know, he will be unable to meet. An employee shall pay all just debts when due. Conduct in violation of this policy that tends to impair the efficient operation of municipal administration or causes the City to be brought into disrepute may be cause for disciplinary action. Further, an employee shall not solicit any employee to co-sign or endorse any promissory note or other loan.
- W. No employee shall engage in any form of labor organization or association activities while on duty or on City property. An employee shall have the right to join labor organizations, but nothing shall compel the City to recognize or to engage in collective bargaining with any such labor organizations. No employee shall engage in any strike. "Strike" includes but is not limited to any of the following when engaged in for the purpose of inducing, influencing or coercing a change in the conditions, compensation, rights, privileges or obligations of employment:
  - 1. The concerted failure to report for duty, willful absence from one's position;
  - 2. Unauthorized holidays;
  - 3. Sickness unsubstantiated by a physician's statement in accordance with personnel policy;
  - 4. The stoppage of work or the abstinence in whole or in part from the full, faithful and proper performance of the duties of employment; or
  - 5. An acceleration of work performance resulting in an unreasonable and substantial increase in City activity.
- X. No employee shall be or become a member with intent to further its aims of any organization, association, movement or group which advocates or approves the commission of acts of force or violence to deny others their rights under the Constitution of the United States or which seeks to alter the form of government of the United States by unlawful means.
- Y. Employees shall notify their immediate supervisor of traffic violations, except Class C traffic offenses, any arrest, indictment or conviction within five (5) calendar days of such traffic violation, arrest, indictment or conviction. Employees who operate City vehicles or equipment are required to notify their immediate supervisor of all traffic violations,

excluding parking violations, within five (5) calendar days of any conviction therefore.

- Z. No employee shall make known any information concerning the progress of an investigation, a known or reported law violation, a condition against which action is to be taken at a future time or any proposed law enforcement action to any person not authorized to receive it. An employee shall treat the official business of the City as confidential and shall disseminate information regarding official business only to those for whom it is intended in accordance with established City procedures and consistent with the Texas Public Information Act. An employee may remove or copy official records or reports from a City office only in accordance with established procedures and with the approval of the applicable Department Head. An employee shall not promise confidentiality or divulge the identity of a person giving confidential information except when authorized by proper authority and necessary in the performance of their work. Further, an employee shall not use information gained from any City information system for anything other than official City business.
  
- AA. An employee shall cooperate in an internal investigation in which he is the primary focus or for which he is a witness or affected party.

#### **5.04 Searches**

City employees from time-to-time may be assigned authorized use of City-owned or City-leased vehicles, offices, lockers, desks, cabinets and/or cases for the mutual convenience of the City and its employees. Use of these City-owned or City-leased items are subject to search and/or inspection at any time by the City and continued employment with the City shall operate as employee consent for any searches or monitoring of City-owned or City-leased property or items. Further, no unauthorized locks or keys to locks for City-owned or City-leased property or items may be utilized by any City employee. Any utilization of such unauthorized locks or keys shall subject same to removal by the City. Employees have no expectation of privacy relative to City-owned or City-leased vehicles, offices, lockers, desks, cabinets, cases and/or other property.

#### **5.05 Arrest/Confinement**

City employees are subject to duty restrictions and discipline for acts prohibited by law and/or resulting in charges being filed, arrest or confinement.

- 1. Any employee detained by law enforcement authorities who fails to report to work or timely notifies his supervisor will be subject to disciplinary action for Unauthorized Absence. If the employee does not report to work, the time shall be recorded as unpaid leave.

2. At the time the City is made aware of an employee's arrest or conduct constituting a criminal offense, the Department Head may:
  - a. allow the employee to return to regular duty with pay;
  - b. allow the employee to return to restricted duty with pay; or
  - c. place the employee on administrative leave with pay.
3. Disciplinary action may be pursued in addition to the foregoing options concurrently or at a later date.
4. Disciplinary action also may be pursued while an employee is in custody or incarcerated.

This policy also applies to acts prohibited by law and not resulting in charges being filed, arrest or confinement. Further, this policy is subject to a case-by-case review of the facts that will determine, in accordance with applicable law, the choice of the option to be pursued.

#### **5.06 Uniforms**

Employees assigned to certain departments within the City shall be provided uniforms for use during work hours. A uniform may include shirt(s), pant(s), shoes, boots, cap(s), hat(s), raincoat, jacket(s) and/or reflective vest.

Employees of the City are expected to exercise due care in the maintenance of all uniform items. Uniforms shall be neat and clean when the employee reports to work. Employees in some departments will be unable to keep the uniform clean while working, but should strive to remain as neat in appearance as possible (shirt tucked in, etc.) When uniform items become unserviceable or unsightly, employees shall report such to their supervisor to authorize replacement.

Employees issued a uniform shall wear the uniform at all times while on duty. If a cap or hat is provided by the City, the employee shall wear the cap or hat provided by the City and shall refrain from wearing a personally owned cap or hat.

Uniforms issued to employees by the City are to be worn for work only and shall not be worn for personal use, other than to and from work, except police officers and firefighters, who are issued uniforms by the City, shall wear uniforms in accordance with established departmental policies.

All serviceable uniform items shall be returned by employees upon separation from employment with the City.

## **5.07 Internet/Electronic Communications**

- A. The City provides Internet access (including e-mail) to its employees to assist and facilitate business communications and work-related research. These services are for legitimate business use only in the course of an employee's assigned duties. All materials, information and software created, transmitted, downloaded or stored on the City's computer system are the property of the City and may be accessed only by authorized personnel. Employees, however, may access the Internet for non-business use during meal time or other breaks, so long as all other provisions of this policy are followed.
- B. Inappropriate Internet usage includes: transmitting obscene, harassing, offensive or unprofessional messages; accessing any site that is sexually or racially offensive or discriminatory; displaying, downloading or distributing any sexually explicit material; transmitting any of the City's confidential or proprietary information, including customer data, trade secrets or other materials covered by the City's confidentiality policy. The above list of inappropriate usage is by way of an example only and is not intended to be exhaustive.
- C. The City reserves the right to monitor employee use of the e-mail system or the Internet at any time. Employees should not consider their Internet usage or e-mail communications to be private. Personal passwords are not an assurance of confidentiality, and the Internet itself is not secure.
- D. Any software or other material downloaded into the City's computers may be used only in ways consistent with the licenses and copyrights of the vendors, authors or owners of the material. Prior written authorization from the City Manager's office, or his/her designee, is required before introducing any software into the City's computer system. Employees may not download entertainment software, games or any other software unrelated to their work.
- E. Only authorized employees may communicate on the Internet on behalf of the City. Employees may not express opinions or personal views that could be misconstrued as being those of the City. Employees may not state their City affiliation on the Internet unless required as part of their assigned duties.
- F. Any violation of this policy may result in loss of computer access and disciplinary action, up to and including termination of employment.

## **5.08 Whistleblower Act Issues**

The City welcomes and encourages a free exchange of ideas and thoughts between employees, supervisors and, where applicable, the City Council. It is the City's

belief that an open line of communication is the most effective method of resolving problems or complaints, which can (and will) arise in any working environment.

Employees should understand that they will not be disciplined for bringing a problem or complaint to the attention of an immediate supervisor and/or Department Head. Further, employees are not expected to perform any task or assignment which is either illegal or unsafe, and no employee who reports such an issue shall be subject to retaliation for reporting such. In light of the foregoing, the following shall apply:

- A. No City official shall take or fail to take, direct others to take, recommend or approve a personnel action against a City employee because the employee makes a disclosure of or reports to a supervisor, department head, or other City Official (i) a violation of a City rule, policy, ordinance, or (ii) gross mismanagement, gross waste of funds, an abuse of authority, a substantial and specific danger to the public health or safety, or a violation of a local, state or federal law.
- B. No City official shall retaliate against a City employee because the employee participates in an investigation or gives testimony in any proceedings connected with any disclosure referenced above.

An employee who believes he is the victim of retaliation because of a disclosure regarding a report covered by this policy should file a complaint with the Director of Human Resources, or with the City Manager if the complaint is made against the Director of Human Resources, or to the Mayor or City Council in the event that the complaint involves the City Manager. The City Manager shall investigate and take appropriate corrective action and disciplinary action against any employee he determines has retaliated against an employee in violation of this policy.

The City Council, pursuant to the foregoing provisions, may investigate allegations made against the City Manager, and take appropriate corrective action, including possible disciplinary action if it determines that he has retaliated against a City employee because of that employee's protected activities.

The City Manager and City Council (or member thereof), respectively, shall give an employee who files a complaint a written report within a reasonable amount of time, in no event to exceed thirty (30) days, with details of findings of the investigation, a determination whether the complaint is substantiated, and where applicable, the corrective action that will be taken to return the employee to status quo.

The City will not take any action against an employee for making a complaint under this policy, unless it finds that there was no reasonable basis for his allegations, including allegations that are or were false, malicious, slanderous and/or egregious as to otherwise warrant imposition of disciplinary action.

Any time limit specified in this policy may be extended by mutual agreement.

## **CHAPTER 6: GRIEVANCE, DISCIPLINE AND APPEAL PROCEDURES**

### **6.01 Fair and Equitable Standards**

It is the intent of the Discipline and Appeal Procedures to safeguard the rights of all employees, to ensure that all employee actions are judged by fair and equitable standards, and to require that all rules are applied on an equitable basis. A statement of reasons for disciplinary action, up to and including termination, is intended to benefit the employee in assisting the employee to retain employment or to improve performance and is not intended to, nor does it, create a contract, either express or implied, or a property interest, in continued employment.

### **6.02 Guidelines**

The Human Resources Department is authorized and directed to promulgate guidelines and procedures as are reasonably necessary and appropriate to implement the rules of employee conduct and discipline contained in Chapter 5.

### **6.03 Grievances**

A grievance is an allegation regarding the violation, misinterpretation or improper application of a specific state or federal law, regulation or City ordinance provision. This does not include questioning the substance of policy or complaints regarding an employee's individual working conditions. An employee shall, within five (5) working days of the date an incident occurred or from which he could have become knowledgeable of the incident, present a grievance in writing to his Department Head. The Department Head shall respond to the grievance in writing within a reasonable amount of time. His decision is final and no appeal may be taken from his decision.

### **6.04 Pre-Clearance by Human Resources Department**

In all matters involving a suspension, demotion or termination, the Human Resources Department shall be consulted prior to the implementation of such action in order to ensure equitable and consistent treatment of employees.

### **6.05 Types of Disciplinary Action**

- A. In making a decision as to what type of discipline should be imposed, a Department Head should consider such factors as the type and severity of the offense(s), the employee's work record, and any mitigating circumstances that may be relative to the situation.
- B. The following disciplinary actions are not exclusive and may be initiated against an employee for violations of these Regulations and/or City or departmental rules and regulations:

1. Employee Counseling

Employee counseling is designed to provide constructive feedback to the employee for infractions that need improvement. This type of action is generally of a non-disciplinary nature. A written notation of this session shall be maintained in the department or division file.

2. Documented Oral Reprimand

An oral reprimand is best suited for a minor rule infraction or incident of substandard performance. An oral reprimand should identify violations and indicate areas needing improvement. A written record of this warning shall become a permanent part of the employee's personnel file.

3. Written Reprimand

A written reprimand is a formal warning of an infraction that may result in suspension, demotion or termination should the violation recur. Included in the written reprimand shall be a statement(s) of the specific violation(s) of policy, the specific incident(s) causing the action, what changes in behavior are expected, what penalty shall be imposed if no changes are made by the employee and the right to appeal. The employee shall be given the opportunity to respond in written form to the written reprimand. Both the disciplining supervisor and the employee should sign the written reprimand. Copies of the written reprimand and all supporting documentation, if any, shall become a permanent part of the employee's personnel file.

4. Suspension

A suspension is to bring about a change in behavior and results in time off without pay. The employee should be encouraged to reflect on his behavior during the suspension and to decide whether he wishes to correct the offending behavior or terminate his employment. Departmental management may suspend an employee without pay for a period of not less than one (1) hour or more than ten (10) working days. Prior to suspending an employee, the Department Head shall confer with the Human Resources Department. Suspension for more than ten (10) working days requires the written approval of the City Manager. The Department Head contemplating a suspension shall give written notice to the employee stating (1) the type of disciplinary action contemplated, (2) the specific rule(s) or policy(ies) violated, (3) the specific incident(s) causing the action, (4) the employee's right to appeal to the City Manager within a specified time, and (5) the

finality of the action if the employee fails to appeal within the specified time period, and (6) an opportunity for the employee to provide a written or verbal statement in response to the allegations. Upon review of any information provided by the employee, the Departmental manager shall make his final determination in writing. The suspension documentation shall become a permanent part of the employee's personnel file.

5. Demotion

Departmental management may demote an employee for a disregard or violation of these Regulations and/or any City or departmental rule or regulation, or for repeated refusal or inability to improve performance. Prior to demoting an employee, the Departmental manager shall confer with the Human Resources Department regarding the proposed demotion. Demotions may be either permanent or for a predetermined specified period of time, and shall result in a reduction of salary. The Departmental manager contemplating a demotion shall give written notice to the employee stating (1) the type of disciplinary action contemplated, (2) the specific rule(s) or policy(s) violated, (3) the specific incident(s) causing the action, (4) the employee's right to appeal to the City Manager within the specified time, (5) the finality of the action if the employee fails to appeal within the specified time period, and (6) an opportunity for the employee to provide a written or verbal statement in response to the allegations. Upon review of any information provided by the employee, the Departmental manager shall make his final determination in writing. The demotion documents shall become a permanent part of the employee's personnel file.

6. Termination

Prior to terminating an employee, the Departmental manager shall confer with the Human Resources Department. A Departmental manager contemplating a termination shall give written notice to the employee stating (1) the type of disciplinary action contemplated, (2) the specific rule(s) or policy(s) violated, (3) the specific incident(s) causing the action, (4) the employee's right to appeal to the City Manager within the specified time, (5) the finality of the action if the employee fails to appeal within the specified time period, and (6) an opportunity for the employee to provide a written or verbal statement in response to the allegations. Upon review of any information provided by the employee, the Departmental manager shall make his final determination in writing. The termination documents shall become a permanent part of the employee's personnel file.

## **6.06 Procedures to Appeal A Written Reprimand**

- A. Any employee dissatisfied with any written reprimand received by that employee may file a written appeal to his Department Head within five (5) working days of the action taken. In the event the Department Head or the City Manager has rendered the written reprimand, the Department Head's or City Manager's action shall be non-appealable.
- B. The written appeal must be submitted to the Department Head and shall contain the following information:
  - 1. The type of disciplinary action being appealed and the effective date of the action;
  - 2. The specific reason the discipline is judged to be unjust or otherwise in error;
  - 3. The remedy or solution sought; and
  - 4. The signature of the disciplined employee.
- C. A Department Head shall discuss the facts surrounding the disciplinary action with the affected employee. A careful review of the charges and evidence of the action and/or omission shall be conducted by the Department Head. A Department Head shall respond in writing to the employee, stating the disposition of the written reprimand within five (5) business days of the discussion. The Department Head may sustain, reverse, modify or amend the action taken as he determines is just and equitable under all the facts and circumstances of the case. A written reprimand may not be appealed beyond the Department Head.

## **6.07 Procedures to Appeal a Termination, Demotion or Suspension**

- A. Any employee, other than a Department Head or other employee who reports directly to the City Manager, who is terminated, demoted or suspended without pay, shall have a right to appeal that decision to the City Manager. The right to appeal must be exercised within five (5) business days of the date of the decision, by filing a written request with the City Manager and a copy to the Human Resources Department for a hearing. If the employee fails to appeal the decision of the Department Head in accordance with these provisions, the decision of the Department Head shall become final and non-appealable.
- B. In the event an appeal is requested, the City Manager shall hear the appeal within a reasonable amount of time. A court reporter or stenographer may be present throughout the appeal and, if so, a written record of the proceedings shall be made. A copy of this written record

shall be maintained in the employee's personnel records. The City Manager may sustain, reverse, modify or amend the action taken. Further, the appeal hearing may be audio taped and, if so, the audiotape shall become part of the employee's permanent personnel file.

- C. Any hearing conducted by the City Manager is informal in nature and generally shall proceed as follows: City representative(s) shall be allowed to make a presentation of the City's case, explaining and detailing the reasons for the disciplinary action imposed. Such presentation may include the production of witnesses and/or documentation supporting the disciplinary action imposed. After the City's presentation, the employee or his attorney shall be permitted to ask questions and/or cross-examine witnesses. Thereafter, the affected employee or his attorney shall be permitted to make any statements or produce witnesses and/or documentation on the employee's behalf. After the employee's presentation, the City representative or the City's attorney shall be permitted to ask questions and/or cross-examine witnesses. Both sides shall be permitted to ask questions and/or cross-examine witnesses. Both sides shall be permitted to make a closing statement, if desired. At any time during the hearing, the City Manager may ask questions of the City's representative(s), the employee and any witnesses. The hearing presentation or procedure referenced herein may be modified and there is no absolute right to any hearing procedure or presentation. Further, the failure to follow any hearing presentation or procedure referenced herein does not create any additional appeal rights.

#### **6.08 City Manager's Review and Determination**

Upon conclusion of the appeal hearing, the City Manager shall have a reasonable amount of time in which to make a determination. After reviewing evidence presented, the City Manager may sustain, reverse, modify or amend the action taken as he determines is just and equitable under all the facts and circumstances of the case. The decision of the City Manager is final and non-appealable.

#### **6.09 Failure to Follow Appeal Procedure**

If any employee fails to appeal an action within the time limits specified in this chapter or in accordance with the guidelines and procedures promulgated by the Human Resources Department or fails to appear at any hearing, the disciplinary action shall be final and non-appealable.

#### **6.10 "Working Days" and "Business Days" Defined**

"Working days," as referenced in this section, means the scheduled workdays of the person responsible for initiating an action in these rules and regulations for which a time limit is established. Time limits begin to run the working day following the incident,

event, hearing or notice. "Business days", as referenced in this section, means Monday thru Friday, between the hours of 8:00am and 5:00pm.

#### **6.11 Appeal Not Answered**

If an appeal is not answered within the specific time limits, the employee may proceed to the next step, if any, in the appeal process.

#### **6.12 Time Limits**

Any time limit specified in the procedures under this chapter may be extended by mutual agreement.

#### **6.13 Administrative Leave With Pay**

An employee who is suspected of a violation of state, federal or local law, City ordinance, a rule, regulation, or these Regulations, may be subject to disciplinary action up to and including termination or may be placed on administrative leave with pay pending the outcome of any related investigation and/or the imposition of disciplinary action.

#### **6.14 Inapplicability**

A reduction in force is not an appealable or grievable personnel action and any employee separated from City employment as a result of a reduction in force has no right to appeal or grieve such separation.

**CITY OF ROANOKE  
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ADMINISTRATIVE SECTION**

**CHAPTER 7: TRAVEL/TRAINING**

**7.01 Purpose**

To provide a standard and uniform method of reimbursing City employees and official representatives of the city for reasonable expenses incurred while traveling on authorized official trips.

**7.02 Scope**

These policies are applicable to all travel by City Employees and other official representatives of the City while conducting City business or attending approved training programs outside of the City limits of Roanoke and extended metroplex locations involving reimbursable expenses.

**7.03 Responsibilities**

Only that travel and/or training which has been budgeted for in the Annual City Budget are authorized for approval. The City Manager must specifically approve travel that has not been authorized in the budget. The Department head and/or City Manager must approve all budgeted travel requests.

**7.04 Definitions**

A. Reimbursable Expenses

The following list of items of expense is for information and guidance in determining which expenses are appropriate when traveling on City business. The list is intended as a guide, and is not necessarily all-inclusive. Discretion remains with the City Manager in approving travel expenses to provide for unusual circumstances.

As a general rule, the City will reimburse all travel expenses that are reasonable in amount and are ordinary and necessary when considering the purpose of the trip. Employees are expected to show good judgment about travel expenses and give proper regard for economy in conducting City business.

Reimbursable items are as follows:

1. Transportation – The employee will be expected to select the mode of transportation that will be most economical to the City considering cost and time consumed. If the employee can save the City substantial funds by going earlier or staying an extra day, the additional incurred expenses for hotel and food will be approved.

Verification in writing of the savings on the airlines must be obtained from the travel agent. Analysis should include hotel and food costs.

- a. City Vehicle – City vehicles will be utilized when feasible.
  - b. Public Transportation – Public transportation will be used in those cases where it is most economical when considering travel time and other factors. When using air transportation, employees will normally travel in coach section. Whenever possible, early booking is encouraged, if it will ensure a discounted rate.
  - c. Personal Vehicle – When an individual uses a personal vehicle, they shall be reimbursed at a rate currently allowed by IRS per mile. At no time will the reimbursement for one's vehicle exceed the lowest cost of air travel (coach).
2. Meals – Expenses for meals will be reimbursed at actual cost as supported by receipts when:
    - a. The employee is traveling overnight.
    - b. The cost of the meal(s) is (are) not included in the price of a seminar or conference registration.
    - c. The cost of the meal(s) is (are) directly attributable to the conduct of City business,
  3. In lieu of itemized receipts for meals, a per diem allowance is authorized at a rate per day to be reviewed annually and based on average of Texas cities.
  4. Lodging – Expenses will be allowed for adequate lodging appropriate to the purpose of the trip. Receipts for lodging must be provided to obtain reimbursement. However, if a statement is provided by the lodging facility, in advance, the City can write a check to the business. At least three days notice must be given for a check to be produced.
  5. Registration Fees – Fees charged for registration are reimbursable. A receipt or some other proof of the fee, such as a copy of the registration form setting forth the fee rate shall be provided.
  6. Tips – A reasonable amount for the tips will be allowed for reimbursement. Generally tips will be allowed up to the amount of 15% of meals and other tips as reasonable and prudent.
  7. Telephone – Charges for telephone to the City will be allowed within reason.
  8. Conference Functions – Extra ticket price will be approved for conference functions, less per diem, if applicable.

9. Other Expenses – Charges for car storage, car rental, taxis and other miscellaneous expenses will be allowed for reimbursement if reasonable, ordinary and necessary. All such charges are to be supported by receipt, when a receipt is normally made available, such as for car rental.

B. Expenses Not Approved for Reimbursement

1. The expense of any City employee not specifically traveling on city business will not be reimbursed.
2. Additional expenses will not be reimbursed where use of personal cars for travel beyond 500 miles is allowed for the convenience of the employee. Lodging, meals and other expenses will be allowed on the same basis as if the employee traveled by air.
3. Employees with a car allowance will not be reimbursed unless the travel is more than 100 miles one way.

**7.05 Procedure**

- A. All individuals traveling from the City (on City business) are required to leave word in their office with their supervisor as to where they can be reached while out of the City of Roanoke.
- B. Alternate routes, which are desirable because of 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.

It is expected that those who are traveling for the City will draw a minimum amount of advances. All expenditure reports must be filed with the City within seven (7) working days after the traveler's return.

**CITY OF ROANOKE  
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**CHAPTER 8: DRESS CODE**

**8.01 Purpose**

As representatives of the City of Roanoke, employees should remember that their appearance is a direct reflection on the level of professionalism of the City staff. For this reason, all employees shall follow basic minimum guidelines in regard to dress and personal appearance. The City Manager may impose additional appropriate standards.

**8.02 Responsibilities**

Employees in positions that require contact with the general public should dress in a manner that is in keeping with the accepted standards of professional office attire. Suits, dress shirts, sport coats, ties, and slacks are preferred dress for men. Suits, dresses, dress slacks, skirts and blouses, and pantsuits are preferred dress for women.. Employees in positions that do require direct contact with the public should still dress suitably for a professional office environment.

Employees are allowed to wear business casual attire on Fridays. If an employee is not sure whether something is considered business casual attire, they should consult with their Department Head.

**8.03 Definitions**

The following items are not permitted in the workplace:

1. Sweatshirts (unless they have a City Logo or if they are decorated with holiday patterns and worn during the holiday season; and only on Fridays)
2. T-shirts (unless they are tailored in a professional manner) , jeans (except on Fridays)
3. Denim Jeans – all colors (except on Fridays)
4. Tennis shoes (except on Fridays)
5. Revealing clothing (such as crop tops, tank tops, halter tops, mesh, etc...)
6. Any attire with slogans or pictures on them
7. Visible body piercing (i.e., nose, eyebrow and tongue rings)
8. Tattoos (personnel may not report to work with any visible facial, head, or body tattoo, or decal, unless such tattoo or detail existed prior to January 23, 2007 and made known through declaration of the tattoo.)

Footwear should also be appropriate for a professional office environment. Acceptable footwear include: oxfords, loafers, pumps, dress sandals, boots, and flats.

Inappropriate items are:

1. Sport shoes
2. Casual sandals (including flip-flops). Casual sandals being further defined as any sandal where a strap goes in between toes.
3. Tennis shoes (except on Fridays)

#### **8.04 Procedure**

If an employee requires a reasonable accommodation regarding their dress for bona fide religious reasons, they should contact their Department Head or the Human Resources Department. Unless an undue hardship would result, such an accommodation will be made. Employees who refuse to comply with the City of Roanoke's reasonable standards of dress can be sent home to change into more appropriate attire. Repeated violation of this policy can lead to disciplinary action up to and including termination.

An employee who is in doubt about the appropriateness of a particular mode of dress should consult their supervisor or Department Head in advance. Supervisors and managers are charged with the responsibility of enforcing this policy.

**CITY OF ROANOKE  
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**CHAPTER 9: RETIRED COMPUTER DISPOSAL**

**9.01 Purpose**

The purpose of this policy is to establish standardized procedures for the disposal of retired computers and equipment. The retired computers shall be made available to City employees, donated to a local non-profit organization or government agency, sold at a public auction, or destroyed.

**9.02 Applicability**

This policy applies to all City departments.

**9.03 Eligibility Criteria for Retired Computers**

- A. The employee must be a permanent part-time or full-time employee of the City of Roanoke for the prior twelve (12) months.
- B. The employee must not have acquired a retired computer within the last thirty-six (36) months.
- C. Seasonal employees, temporary employees, and the Information Technology Manager is not eligible under this policy.

**9.04 Identification and Preparation of Retired Computers**

The Information Technology Manager (or a designee) shall determine which computers no longer serve as legitimate and reliable tools for business use. A retired computer is identified as any computer that cannot operate current software or network applications in an efficient manner. Computers that are currently on a lease contract are not eligible for disposal.

The Information Technology Manager (or a designee) shall ensure that all necessary computer hardware is present and in working condition. This includes the processor, motherboard, memory, power supply, cooling fans, hard drive, floppy drive, video card, CDROM drive, monitor, mouse, and keyboard.

All retired computers shall be erased of existing computer data, and reloaded with appropriate operating system software only. Licensing for software must be available prior to preparing the computer for disposal.

The Information Technology Manager (or a designee) shall notify employees, via electronic mail, that retired computers are available and ready for disposal.

### **9.05 Dissemination of Retired Computers**

Employees shall notify the Information Technology Manager, in writing, of their desire to acquire a retired computer. Employees shall have two (2) weeks from the date of electronic notification to submit their name for a drawing. A drawing will be held by the Information Technology department and winners will be verified for eligibility by the Human Resources department.

Subject to certification of eligibility, the employee, whose name is drawn, will purchase the retired computer for an amount of \$1.00, and must remove the computer from City property within three (3) business days of the date of purchase. If the employee fails to purchase the retired computer or remove the equipment from City property within the allotted time frame, the above-mentioned dissemination procedures shall be repeated.

Retired computers are disposed of in as-is condition. There are no guarantees or warranties on the hardware or software.

The employee shall accept full responsibility for the cost of future repairs and added software. The employee may not return the retired computer to the City of Roanoke.

All proceeds from the sale of retired computers will be placed in the computer replacement fund.

### **9.06 Eligibility Criteria for Damaged Equipment and/or Surplus Accessories**

A. Governmental agencies that include school districts, local, county, state, and federal government.

B. Non-profit organizations that can provide to the Information Technology Manager a 501(c)(3) non-profit certification form prior to pickup of damaged equipment and/or surplus accessories.

### **9.07 Disposal of Damaged Equipment and/or Surplus Accessories**

Damaged equipment and/or surplus accessories shall be inventoried and tagged for disposal.

A local non-profit organization and/or government agency shall be contacted to determine if that organization has a desire to acquire the damaged equipment and/or surplus accessories and, if so, the non-profit organization must arrange for pick-up and transportation of the equipment at no cost to the City of Roanoke.

If no non-profit organization and/or government agency desires to acquire the equipment, the Information Technology Division shall destroy all damaged equipment

and/or surplus accessories. Environmental hazards will be taken into consideration before destroying any computer equipment and/or accessories.

Damaged equipment and/or surplus accessories may be sold at a public auction. The Information Technology Manager (or a designee) shall transfer the equipment to the Public Works facility to be held until auction.

**CITY OF ROANOKE  
EMPLOYEE POLICIES AND PROCEDURES HANDBOOK  
ADMINISTRATIVE SECTION**

**CHAPTER 10: GIFTS/DONATIONS**

**10.01 Purpose**

To provide a standard and uniform policy for accepting gifts and donations made to the City of Roanoke.

**10.02 Scope**

In addition to employees, these policies are applicable to all gifts and donations received by the various boards and commissions appointed by the City Council. All gifts and donations received are construed to be gifts or donations to the City and therefore governed by this policy.

**10.03 Responsibilities**

The City Council shall be informed through the agenda process of the following types of gifts and donations and shall make a determination in a regular business meeting of whether or not to accept the following types of gifts and donations:

- a. real estate
- b. personal property, ownership of which would require a significant expenditure of City funds, and
- c. cash to be used for a specified program or purpose which is not included in a current operating plan for the City.

The City Manager has the authority to accept other gifts and donations, such as:

- a. unrestricted cash
- b. cash to be used for a specified program or purpose which is included in a current operating plan for the City, and
- c. personal property that does not require a significant expenditure of City funds.

**CITY OF ROANOKE  
EMPLOYEE POLICIES AND PROCEDURES HANDBOOK  
ADMINISTRATIVE SECTION**

**CHAPTER 11: PURCHASING CARD POLICIES AND PROCEDURES**

**11.01 Introduction**

The purpose of the purchasing card program is to establish a more efficient, cost-effective method of purchasing and paying for small dollar transactions as well as high volume, repetitive purchases. The program was designed as an alternative to the traditional purchasing process (check requests) for supplies, materials and travel. The purchasing card can be used with any supplier that accepts MasterCard as a form of payment.

If used to its potential, the purchasing card program will result in a significant reduction in the volume of check requests and related documentation including invoices and checks. In addition, corresponding work processes associated with ordering and check writing will be eliminated.

**11.02 General Information**

**This policy provides the general guidelines for using the purchasing card.** Please read it carefully. Your signature on the Cardholder Agreement shows that you understand the intent of the program and agree to follow the established guidelines.

The following important points should be reviewed before using the purchasing card:

Your purchasing card is issued in your name. All purchases made on the purchasing card must be only yours. You are responsible for the security of the purchasing card and the transactions made with it. If you do not follow these guidelines when using the purchasing card, you will receive disciplinary action, including termination.

- You can use the purchasing card at any vendor or service provider that accepts MasterCard. It may be used for in store purchases, mail, telephone orders.
- The purchasing card may only be used to purchase items that are included in a currently approved budget line item.
- You may use the purchasing card to purchase supplies and services or travel/training less than the single transaction limit that was established.
- Use must not exceed the credit limit assigned to your card in a given month.
- You must turn in your receipts and provide them to your department's transaction processor (TP) so they can be reconciled monthly. If your department does not have a TP; you must reconcile your account monthly. Failure to turn in receipts in a timely manner or reconcile your account monthly will result in suspension of your account.

- The purchasing card is not intended to avoid or bypass appropriate purchasing or payment procedures as outlined in the City of Roanoke Policy and Procedures manual and the City Charter.

**A. Program Administrator**

The Program Administrator is designated to answer questions, address issues and oversee the administration of the program. The Program Administrator has a direct relationship with the Bank. All purchasing card requests must go through the Program Administrator.

**B. Cardholder**

A Cardholder is designated by the Department Head to utilize the purchasing card for purchasing small dollar supplies and materials. The cardholder is responsible for following the guidelines in regards to purchases, selection of vendors, security of card and monthly reconciliation.

**C. Transaction Processor**

A Transaction Processor is designated by the Department Head to process monthly purchasing card statements of cardholders within a certain department to ensure they are coded properly, in a timely manner and are within the City purchasing policy guidelines. If a department does not have a Transaction Processor, the cardholder becomes the Transaction Processor.

**D. Department Head**

The Department Head is responsible for designating cardholders and for approving monthly purchasing card statements of cardholders to ensure they are within City policy. The Department Head will also assist in assigning cardholder spending limits and monitoring adherence to purchasing card regulations. The Department Head is responsible for retrieving purchasing cards in the event of termination or change in the employment status of a cardholder under their supervision.

**E. Customer Service**

The purchasing card program is serviced using a team approach with the Bank's Customer Service Center. This center is available 24 hours a day, 7 days a week to assist the cardholder with general questions about the purchasing card account. If a card is lost or stolen, Customer Service should be notified immediately.

The Customer Service number is: 1-800-890-0669

## **11.03 Purchasing Card Controls**

### **A. Credit Limits**

All purchasing cards have monthly cardholder spending limits. Limits may vary for each cardholder and will be established by the Program Administrator in conjunction with the Department Head. These limits automatically “refreshes” every month.

Each cardholder will be given information on the limits of his/her card upon signing up for the program. In order to change limits on any card, your Department Head should forward a request via email to the Program Administrator. Upon approval, the Program Administrator will then forward the request to the Bank for processing. \* Please allow 2 to 3 days to process any changes \*

### **B. Transaction Limits**

Your purchasing card may have a single transaction limit. This is the amount available on the purchasing card for a single purchase. A transaction includes the purchase price, plus freight. Cardholders should not attempt to make a purchase greater than his/her approved amount. The Program Administrator must also handle changes to the transaction limit.

### **C. Restricted Vendors**

The purchasing card program may be restricted for use with certain types of suppliers and merchants. If you present your purchasing card for payment to these vendors, the authorization request will be declined.

### **D. Purchasing Card Receipts**

Always obtain a receipt when using the purchasing card. It is every cardholder's responsibility to ensure there is a receipt for each purchase.

These receipts will be each cardholder's documentation for the monthly purchasing card charges. The receipts should be provided to the Transaction Processor within your department for monthly reconciling. Or if your department does not have a Transaction Processor, the Cardholder will provide the receipt with their monthly reconciliation. If a receipt is lost or stolen, the cardholder should obtain duplicate copies of the receipts. The Transaction Processor will forward to the Finance Department for storage and audit along with the monthly reconciliation.

### **E. Cardholder Responsibilities**

At the end of each billing cycle, the cardholder will provide all receipts to the transaction processor for reconciliation. The Transaction Processor will attach all receipts, complete the online reconciliation by indicating the account number to be charged, print out the report and forward to the supervisor for approval. Cards that have outstanding reconciliation reports will be suspended.

After reviewing the information sent by each Transaction Processor, the Department Head should approve the purchases and forward the documentation to the Finance Department. Finance shall then verify that the cardholder monthly reconciliation is consistent with the statement memo summary detail received from the Bank.

#### **F. Sales and Use Tax**

The City of Roanoke is a tax-exempt entity and does not pay sales tax. The cardholder should present a sales tax exemption form when making a purchase. Cardholders are responsible for insuring that the merchant does not include sales tax in the transaction. If tax is included, the cardholder may be responsible for reimbursing the tax amount to the City.

#### **G. Security of the Purchasing card**

The cardholder is responsible for the security of the card. Guard the purchasing card account number carefully. It should not be posted in a work area or left in a conspicuous place. It should be kept in a secure location.

The only person authorized to use the purchasing card is the cardholder whose name appears on the card. The card is to be used for business purposes only. The card is not intended for personal use. Personal purchases will be considered misappropriation of the City of Roanoke funds, a criminal offense, and will be reported to the proper authorities.

#### **H. Employee Termination**

The purchasing card must be returned to the Program Administrator or Department Head upon termination from employment with the City of Roanoke.

#### **I. Lost or Stolen Cards**

If a purchasing card is lost or stolen, immediately contact the Bank's Customer Service at 1-800-890-0669. After contacting the Bank, notify the Program Administrator. Prompt action can reduce the City's liability for fraudulent activity.

### **11.04 Purchasing Card Rules and Procedures**

Because purchases are made directly by the Cardholder and not by the Finance Department, certain added responsibilities come with the use of the Purchasing Card. It is incumbent on the Cardholder to insure that the City's Purchasing Policies are being followed and that purchases are made within established Purchasing Procedures. Cardholders should use the following guidelines when making Procurement Card purchases:

1. Determine if the transaction is an acceptable use of the card and if it is within the cardholder's spending limit.
2. Identify the supplier and call, fax, or visit the supplier to place your order. If order is by mail, specify cardholder name, City name, department name and shipping instructions. Also, specify the purchasing card number, expiration date and name as it appears on the card. Request that a hard copy of the pricing and freight be faxed to the cardholder and/or included
3. If there is any question pertaining to Purchasing policies and/or procedures or if the Cardholder needs purchasing related assistance, the Cardholder should contract the Finance Department prior to the purchase.
4. Cardholders may not use the card for the following:
  - Any purchases of items for personal use.
  - Cash refunds or advances.
  - Any purchase of goods/services or, or at a merchant type not considered prudent or of good judgment.
  - Any transaction amount greater than the cardholder's transaction limit.
  - Items under contract, unless an emergency exception is granted by Purchasing.
  - Alcohol or liquor of any kind. Patronization of bars, drinking places and package liquor stores should not be paid for with the purchasing card.
  - Separate, sequential, and component purchases or any transaction made with intent to circumvent City purchasing policy or state law.
  - Any other purchase specifically excluded in the City purchasing policy.

**Examples of Acceptable Purchases:**

Car Rental	Auto Parts
Janitorial Supplies	Seminars
Office Supplies	Travel meals
Craft Materials	Food Supplies
Postage Stamps	Memberships
Airline Tickets	Hotel
Office Supplies	Dues & Subscriptions
Books	Medical Supplies
Training Courses	Tools/Hardware

## **11.05 Procurement Card Procedures**

Purchasing cards will be centrally distributed through the Program Administrator. When a new card is issued, the Bank will send it to the Program Administrator for distribution to the cardholders. Cards will be released to cardholders after receipt of a signed cardholder agreement.

The following items should be provided to you, the cardholder, during training:

1. **Cardholder Purchasing Card Agreement:** This is an agreement between the cardholder and the City of Roanoke that affirms that the cardholder has read and understands the policy and procedures for the purchasing card.
2. **Purchasing Card Policies and Procedures:** This document outlines the City's policies and procedures in regard to their purchasing card. It also outlines approved types of purchases and preferred vendors.

### **A. Receiving Supplies and Services**

A copy of the charge slip, sales receipt, or any other information related to the purchase must be kept by the purchaser and forwarded to the Transaction Processor who will reconcile and forward to Finance upon completion of the cycle. If a purchase is made via mail or telephone, ask the vendor to include the receipt with the goods when shipping the product so that it can be forwarded to the Transaction Processor at the appropriate time.

### **B. Purchasing Card Payment**

Employees do not pay their own monthly statement. The program does not affect your credit rating in any way. The purchasing card program carries city, not individual, liability.

### **C. Returns, Credits and Disputed Charges**

Should a problem arise with a purchased item, service or charges, every attempt should be made to first resolve the issue directly with the supplier. All returns must be reimbursed by credit to the account; cash refunds for returns are prohibited. Review by the Transaction Processor of future statements is vital to ensure the account is properly credited for returns, credits and disputed charges.

- **Returns:** If a cardholder needs to return an item to a supplier, contact the supplier and obtain instructions for return. Note that some suppliers may charge a restocking or handling fee for returns. All returns should be indicated to the Transaction Processor.
- **Credits:** If the supplier accepts an item as a return, a credit for this item should appear on the following month's statement. All credits should be indicated to the Transaction Processor.

- **Disputed Charges:** If a Transaction Processor finds a discrepancy on a monthly statement, the Transaction Process should notify the cardholder and the cardholder should contact the supplier and attempt to resolve the problem directly.

If a cardholder cannot resolve a disputed item directly with the vendor, the cardholder should complete the Dispute Form 700 (available from the Program Administrator). The Bank will place the charge in a "State of Dispute" and the account may be given a provisional credit until receipt of adequate documentation from the vendor.

If the documentation appears to be in order, the transaction will be reposted to the account and the dispute considered closed. If the charge is suspected to be fraudulent, the card will be immediately blocked, continue to have a provisional credit (if given) and an investigation of the charge will continue. A new card will then be re-issued to the cardholder, if appropriate. If the charge appears legitimate, the transaction will then post to the new account.

#### **11.06 Transaction Processor - Procedures**

Run reports on the **6th of each month**. If the 6<sup>th</sup> falls on a weekend or holiday, run the reports on the next business day. Report range dates are the billing cycle option. After reconciling all expenditures, rerun report, print out and have Department Head sign. Reports **are due to the Finance department by the 12th of each month**.

Detailed receipts must be attached to the monthly report for all charges. Attach receipts in the order that they appear on the statement. All purchasing card charges require the original receipt. If there are only a few receipts, staple to the back of the report; otherwise multiple receipts should be put in the envelope provided and staple the envelope to the back of the report. Indicate purpose for charging a business meal or snacks and list people or group attending on the receipts.

List the purpose of all grocery store charges. A description is also needed when the invoice or receipt does not properly list the purchase (example: Hobby Lobby receipts).

Documentation should be attached to the report when credit is given for returns. You can use a copy of the original charge if a credit memo is not given.

We have added only the budget codes that we thought would be needed. Contact the Program Administrator if you need to add additional codes.

The Department Head must sign the purchasing card report each month.

## COMMONLY ASKED QUESTIONS & ANSWERS

### **For what types of purchases should I use the purchasing card?**

The City governs how you can use the purchasing card. The Program Administrator, along with your Department Head will determine the types of purchases, as well as the maximum dollar amount for which you will be authorized.

### **In what ways do I benefit from using the purchasing card?**

When you use the purchasing card, you enjoy reduced paperwork, direct contact with suppliers, quick and efficient order processing, faster delivery, reduced use of personal credit cards and fewer errors.

### **How does the City benefit from the purchasing card program?**

When employees use the purchasing card, the City enjoys greater productivity as a result of reduced paperwork, savings from consolidated multiple supplier invoices to one statement from the, and greater control over spending.

### **What should I do if my purchasing card is lost or stolen?**

Call the Bank's Customer Service, toll-free, 1-800-890-0669 immediately, to report the purchasing card missing and next call the Program Administrator.

### **What do I do if a purchase is denied?**

Your purchase may have exceeded a spending or transaction limit, the City may have excluded that type of supplier or merchant, or the supplier or merchant is not equipped to accept MasterCard as payment. Contact your Program Administrator to determine the reason.

### **What should I do if I want to change the "per month" or "per transaction limits?"**

Contact your Department Head, who will contact the Program Administrator.

### **What should I do if a supplier does not accept the purchasing card?**

Contact the Program Administrator, who will then contact the Bank. Please provide the supplier's name, address, and phone number.

### **Will use of the purchasing card affect my credit report?**

No. The Purchasing card is a city liability card, and carries no personal liability for cardholders that use the purchasing card according to City policy and procedure.

### **When I use my purchasing card to make a purchase, how is the transaction authorized?**

When you use the purchasing card to make a purchase, the supplier verifies the account number with the Bank. Your spending limits are checked automatically against City policy and procedure.



**CITY OF ROANOKE**

**REQUEST FOR CONFIDENTIALITY  
AS PERMITTED BY THE PUBLIC INFORMATION ACT**

It is my understanding that, as a municipal employee, my personnel file is subject to public access under the Public Information Act and that I may elect non-disclosure of certain personal information.

\_\_\_\_\_ I hereby notify the Human Resources Department that I elect non-disclosure of my home telephone number, home address, social security number, and personal family member information as afforded under the Act.

\_\_\_\_\_ I hereby waive my right to non-disclosure of my home telephone number, home address, social security number, and personal family member information as afforded under the Act.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name



**CITY OF ROANOKE  
RECEIPT FOR THE EMPLOYEE POLICIES  
AND PROCEDURES HANDBOOK**

---

First Name

Middle Initial

Last Name

---

Position

Department

I certify that I have received a copy of the City of Roanoke Employee Policies and Procedures Handbook and I have read it carefully. I agree to abide by all of its rules, policies, term and conditions. If I have questions regarding any of the Employee Policies and Procedures Handbook provisions, I will consult my supervisor. I also understand and agree that my employment with the City is terminable at will so that either the City or I are free to choose to end our work relationship, and that nothing in the Handbook in any way creates an express or implied contract of employment between the City and me.

---

Signature

Date