

City of Huntsville
Policy and
Procedures
Manual



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4.01 Selection

Selection of individuals for interview should be made based on job-related criteria in all cases. Job-related criteria should at a minimum, include possession of the necessary knowledge, skills, abilities and education to be successful in the position. The City reserves the right to select individuals for positions based on those who are best suited for the positions, consistent with all acceptable legal requirements.

4.02 Nepotism

The City of Huntsville has a primary responsibility of hiring the best, most qualified, most experienced applicants for each position. A secondary responsibility is to make sure that our decisions are not impaired by personal relationships, or that others do not call into question our professionalism or judgment because of personal relationships that exist. Occasionally, these two responsibilities will conflict with each other. This policy intends to guide the City in balancing these responsibilities. Each of the hiring circumstances may require individual review and consideration, and intends to allow applicants to apply for positions, go through the hiring process and face the issue of nepotism conflicts discussed in this policy at the time a conditional offer is being considered.

For the purposes of this policy, the following chart should be used as a reference:

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12.01 Outside Employment

- A. Prior to obtaining any outside employment, whether as an employee, independent contractor or otherwise, full-time employees must request prior approval in writing through their Department Directors. Department Directors must obtain this approval from the City Manager in advance. Requests will be kept on file in the HR Department.
- B. Employees shall not engage in any outside employment whereby such employment would constitute a conflict of interest, would adversely affect the performance of duty, or would create a significant appearance of impropriety.
- C. Outside employment must be conducted so that it does not conflict with regular duties and performance and work must not be performed during regular work hours. Performance or conflict of interest issues related to outside employment may be addressed at any time by the Department, Human Resources, or the City Manager if appropriate; the employee may need to discontinue the outside employment if it interferes with the performance of job duties.

12.02 Code of Ethics

- A. It is the intent of the City of Huntsville to conduct all its business in accordance with the highest standards of ethical conduct.
- B. Employees shall maintain the utmost standards of personal integrity, truthfulness and fairness in carrying out their duties, avoiding real or perceived improprieties in their roles as public servants, and never using their positions of power for improper personal or professional gain.
- C. City employees must not engage in any activities, transactions, or relationships that are incompatible with the impartial, objective, and effective performance of their duties, or that are adverse to the City's interest, or that may adversely affect the City's reputation.
- D. Employees shall not solicit, or accept, or give any gift, gratuity, favor, entertainment, reward, or any other item of monetary value that might influence, or appear to influence, the judgment or conduct of the employee in the performance of his or her job.
- E. The City encourages employees to fully exercise their constitutional rights as citizens to vote and participate in political activities, but City employees are subject to the restrictions specified in this Chapter relating to use of work time, City property, or use of their official status in political activity.
- F. Employees shall avoid any action, whether or not specifically prohibited, which might result in, or create the appearance of any of the following, as identified below.

13. Disclosure of confidential information
14. Violation of City or department policies, code of conduct, rules and procedures, or City Charter
15. Coercion, intimidation, or threats against citizens, supervisors, co-workers, City officials or others
16. Making or publishing false, vicious, or malicious statements about the City, employees, citizens or others
17. Discourteous treatment of the public
18. Unsatisfactory performance or conduct, inefficiency, incompetence or neglect of duty
19. Fighting, provoking or instigating a fight or threatening violence, or other disruptive activities
20. Engaging in work stoppages
21. Conduct resulting in waste or damage of another employee's, City, or citizen owned property
22. Insubordination, disrespectful or unprofessional conduct, discourteous treatment of the public
23. Unauthorized possession of weapons on City time, on City premises or while on City business (except licensed peace officers required to carry a weapon as part of the job duties or employees with a legally permitted weapon locked in their personal vehicle)
24. Violations of local, state or federal law
25. Conviction of a felony
26. Failure to report to work upon conclusion of authorized leave or disciplinary action
27. Outside employment conflicting with City interests
28. Acceptance of payment of any kind for activities related to City employment
29. Refusal or failure to follow directives

14.07 Prohibited Activities

- A. Disciplinary action will be imposed for violations of City or department policies and procedures, codes of conduct, and rules and regulations, either written or verbal.
- B. Disciplinary action will be imposed for acts not specifically addressed in policies and procedures, codes of conduct, and rules and regulations, as they may adversely affect the City or put the health and safety of fellow employees, citizens or other third parties at risk.
- C. As it is impossible to list all forms of behaviors considered unacceptable in the workplace, the following is a list of examples which will likely result in disciplinary action, up to and including termination of employment.
 - 1. Theft or inappropriate removal or use of City property or other property not belonging to employees
 - 2. Falsification of time worked or other records, including applications
 - 3. Working under the influence or a presence in the system of alcohol or illegal drugs, or not reporting to supervisor medications that may influence ability to complete tasks or job duties safely
 - 4. Possession, distribution, sale, transfer or use of alcohol or illegal drugs in the workplace, while on duty, or while operating City-owned or leased equipment (unless authorized under section 13.01)
 - 5. Violation of the sexual or other unlawful harassment policy
 - 6. Interfering with work schedules or another employee's ability to work
 - 7. Misuse of phones, computers, mail systems, internet, social media, etc.
 - 8. Excessive or unscheduled absenteeism, tardiness, breaks or absences without notice or approval
 - 9. Breaks in excess of the allotted time allowed
 - 10. Violation of safety or health rules
 - 11. Failure to report accidents or injuries
 - 12. Profanity, abusive language or racial or sexist slurs

- I. Misconduct constituting harassment or retaliation will be dealt with appropriately. Discipline, up to and including dismissal will be imposed upon any employee who is found to have engaged in conduct prohibited by this policy. Likewise, disciplinary action will be imposed in situations where claims of prohibited conduct were untruthful, fabricated or exaggerated or when employees are untruthful during an investigation.
- J. Employees are required to comply with an investigation under this or any other policy.
- K. All complaints of harassment will be promptly investigated under the guidance of Human Resources, the City Attorney, and/or by an outside investigator as determined by the City.

12.12 Dress Code and Uniforms

It is the policy of the City of Huntsville that each employee's dress, grooming, personal hygiene and appearance should be appropriate for the work situation. During business hours or when representing the City of Huntsville, employees are expected to present a professional, businesslike image. On certain days or occasions, employees are allowed to dress in a more casual fashion than normal, upon approval of the City Manager or Department Director. On these days or occasions, employees are still expected to present a neat, appropriate appearance, and must adhere to dress code standards.

Department Directors are responsible for establishing reasonable dress codes for their individual departments that are appropriate for the job being performed or the work situation, outside of an office environment. Certain employees may be required to wear uniforms. Employees required to wear uniforms must follow individual department guidelines regarding uniforms, which may include cleaning schedules, returning of uniforms, and the wearing of uniforms outside of the workplace.

For those employees wearing approved, City-furnished uniforms, the uniforms shall be relatively clean, and free from tears and rips. The City logo and employee's name shall remain visible and should not be covered up or shielded unless a jacket or sweater is worn over the uniform shirt because of weather conditions. Only proper names or pre-approved "nicknames" will be used on City uniforms. Employees, who wear hats or caps during business hours or when representing the City, must wear City issued hats or caps only, and must be approved by the Department.

Any employee who does not meet the standards of this policy will be directed by the employee's Manager/Supervisor or Department Director to take corrective action, which may include leaving the workplace until he/she is properly dressed or groomed. An employee's failure to comply with this directive will be grounds for disciplinary action. The employee may not be compensated during time away from work to comply with this policy.

3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
- C. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Conduct prohibited by this policy includes, but is not limited to sexual advances; requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, sexual preference, sexual experiences, or sexual deficiencies; leering, whistling, or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.
 - D. Harassment on the basis of any other legally protected characteristic is also strictly prohibited. This means that verbal or physical conduct that singles out, denigrates, or shows hostility or aversion toward someone because of race, religion, color, national origin, age, disability, genetics, veteran status, citizenship, or any other characteristic protected by law is also prohibited.
 - E. Prohibited conduct includes, but is not limited to, epithets, slurs and negative stereotyping; threatening, intimidating, or hostile conduct; denigrating jokes and comments; and writings or pictures, that single out, denigrate, or show hostility or aversion toward someone on the basis of a protected characteristic. Conduct, comments, or innuendoes that may be perceived by others as offensive are wholly inappropriate and are strictly prohibited.
 - F. Prohibited conduct also includes the sending, showing, sharing, or distributing in any form, inappropriate jokes, pictures, comics, stories, etc., including but not limited to via any electronic devices, media or the internet. Harassment of any nature, when based on race, religion, color, sex, national origin, age or disability, genetics, veteran status, citizenship or any other characteristic protected by law is prohibited.
 - G. Reporting of harassment is strongly encouraged, regardless of the offender's identity or position. Employees who observe or otherwise learn of possible harassment in the workplace or who feel that harassment has occurred or has been subjected to conduct prohibited by this policy may report it to Human Resources or the City Manager's Office. Under this policy, employees may report to or contact the Director of Human Resources directly, without regard to the normal chain of command.
 - H. Retaliation against employees who make good faith charges or reports of prohibited conduct or who assist in complaint investigations is prohibited. Acts of retaliation must be reported immediately as set out above.

12.10 Cell Phones

- A. Whether department issue or otherwise, the City recognizes that many employees bring cell phones to work. Cell phones may belong to the employee or be provided for the employee's use by the City. The use of these phones, including those with cameras and video, must not interfere with job duties or performance. As with desk phones, employees must not allow excessive or loud phone use to become disruptive or interfere with their own or someone else's ability to do their jobs.
- B. Except in emergencies, employees will not use cell phones without a hands free device while operating a City vehicle while on City business, including both making and receiving phone calls and texting. Other devices deemed by the Department to cause distractions or interfere with the performance of job duties, may not be utilized.
- C. Texting while driving is prohibited.
- D. Employees using City-issued cell phones or personal cell phones for City related business have no expectation of privacy in calls, pictures, videos, or text messages.
- E. Employees are advised that records related to calls, videos, online storage and text messages made and received on City-owned devices are public information. Information related to telephone numbers called, length of call, and time and date of call as well as pictures, video, texts or online storage may be obtainable as a public record.
- F. Inadvertent monitoring of private cellular conversations is possible. Caution should be used whenever confidential or sensitive information must be discussed on a City-provided cell phone.

12.11 Sexual and Other Forms of Harassment

- A. All employees are entitled to a workplace free of harassment by management, supervisors, co-workers, citizens, and vendors. City employees are also prohibited from harassing other employees, citizens, vendors, and all other third parties.
- B. One form of unlawful discrimination is sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment 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 employment decisions affecting such individual, or