

City of Huntsville
Policy and
Procedures
Manual



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1.01 Preface

- A. The greatest asset of our City is the potential of our employees. Recognition and enhancement of this asset are of material benefit to the community and also fulfill a moral obligation to each employee. The City's intent is to work with all employees as respected individuals, ensure they are competitively compensated, politically unencumbered, and supported by the Administration and the City Council. Our success may well be measured by the extent to which our efforts give meaning and dignity to our employees lives, as reflected by their work and community relationships.

- B. As the City has a responsibility to its employees, so the employees have a responsibility to the City. The welfare of both depends upon the ethical and effective way employees complete their responsibilities. To encourage a sense of responsibility, a spirit of confidence, and an attitude of cooperation among our employees is a primary administration goal. The City recognizes the value of individual employees and provides the essentials which will enable them to achieve the maximum satisfaction in their careers. In turn, individual employees are expected to recognize that their own satisfaction derives from loyal, ethical and conscientious service in the performance of their duties.

1.02 Authority

These policies apply to and govern all employees of the City of Huntsville, unless otherwise restricted or governed by State or Federal law or City Charter.

- A. These policies supersede all existing policies and are effective and binding upon all employees, regardless of hire date. Continued employment with the City constitutes conclusive acceptance of the terms of these policies. These policies, including any modifications, are prepared for informational and guideline purposes only and do not constitute a contract (either express or implied) in any respect between the City and its employees.

- B. Employment with the City is at-will and either the employee or the City may terminate the relationship at any time for any reason not contrary to law.

- C. This removal power is subject to any exceptions in the applicable provisions of the City Charter. The at-will status of any employee may not be modified or rescinded by any oral or written statements by any person, including appointed or elected officials, any employee handbooks, employment applications, or other materials provided to employees. Nothing in this policy manual is intended to change or modify the at-will status of City employees or to create or confer any property rights or expectations of continued employment to any employee.

- D. The failure of the City to follow or comply with any provision of this policy shall not constitute grounds for nor form the basis of any action or cause of action, either civil or criminal, arising from employment with the City.

1.03 Purpose

The purpose of this manual is to provide a consistent guide to personnel actions involving City employees. It is not intended to give specific guidelines for every conceivable personnel action, but rather to be a guide in ensuring that decisions are consistent, and in accordance with the desires of the City. The circumstances of any particular case or matter may warrant a deviation or exception in the application of this policy; where such circumstances justify an exception, the City Manager is authorized to do so. The objectives outlined in this manual include the following:

- A. Promotion of increased efficiency and economy in the service of the City.
- B. Provision of equal employment opportunity to all qualified applicants to enter and advance in City employment on the basis of demonstrated merit and fitness as determined through consistent and equitable methods of selection and promotion.
- C. Development of a program of recruitment, advancement, and tenure, ensuring City service as a career path, encouraging employees to strive for excellence in performance.
- D. Establishment and maintenance of a uniform plan of classification and compensation based upon duties and responsibilities performed in the service of the City.
- E. Promotion of highest ethics among City employees through the provision of good working relationships, uniform administration of policies, opportunities for advancement, and consideration of employee welfare.

1.04 Policy Maintenance

The Director of Human Resources represents the City Manager with regard to routine administration of all phases of this policy. The Director of Human Resources shall monitor these policies and make every good faith effort to ensure compliance through departments not only with the letter but also with the spirit of this policy. All policies outlined in this manual are subject to the review and approval by the City Manager.

- A. These policies will be distributed to all City employees and will be published on the City's website. Employees are responsible for compliance with all policies in this manual and with any and all revisions.
- B. Department Directors have authority and are responsible for the proper and effective administration of these policies within their departments. Directors are encouraged to

Employees must disclose any concerns or questions regarding these actions, activities or relationships to their Department Director or City Manager in advance:

1. Using public office or position for private gain
2. Giving preferential treatment to any organization or person
3. Impeding efficiency or economy
4. Losing complete independence or impartiality of action
5. Making a government decision outside official channels
6. Adversely affecting the confidence of the public in the integrity of the organization
7. Connecting the employee's public employment or position with any advertisement, product, or service. Public employment or position includes the name or logo of the City, the name of its departments, or the use of its offices.

12.03 Financial Interests

- A. Employees shall not have a financial interest in any exchange with, purchase by, or sale of property, goods, or services with the City, unless the employee has disclosed the financial interest to the appropriate Department Director before any contact with the City concerning the transaction. The Department Director must notify the City Manager of the potential conflict.

12.04 Use of Official Position

- A. Employees shall not use their official positions, official identifications or business cards for personal or financial gain, for obtaining privileges not otherwise available to them, or for soliciting donations or contributions, except in the performance of assigned duties or where authorized by the City Manager.
- B. Employees shall not permit or authorize use of their names, photographs or official titles which identify them as City employees, or permit or authorize the name or logo of the City of Huntsville, or any of its departments or offices, or property of the City to be used in connection with testimonials or advertisements of any commodity or commercial enterprise, for any personal reasons, or for soliciting donations or contributions, without the approval of the City Manager or designee.

12.05 Disclosure of Information

- A. Employees shall not make known any information concerning an investigation, a known or reported law violation, a condition against which action is to be taken at a future time, or any proposed enforcement action to any person not authorized to receive it.
- B. Employees may not remove or copy official records or reports from the City unless in accordance with established procedures.

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.

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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. Employees must disclose any concerns or questions regarding these actions, activities or relationships to their Department Director or City Manager in advance:

1. Using public office or position for private gain
2. Giving preferential treatment to any organization or person
3. Impeding efficiency or economy
4. Losing complete independence or impartiality of action
5. Making a government decision outside official channels
6. Adversely affecting the confidence of the public in the integrity of the organization
7. Connecting the employee's public employment or position with any advertisement, product, or service. Public employment or position includes the name or logo of the City, the name of its departments, or the use of its offices.

12.03 Financial Interests

A. Employees shall not have a financial interest in any exchange with, purchase by, or sale of property, goods, or services with the City, unless the employee has disclosed the financial interest to the appropriate Department Director before any contact with the City concerning the transaction. The Department Director must notify the City Manager of the potential conflict.

12.04 Use of Official Position

- A. Employees shall not use their official positions, official identifications or business cards for personal or financial gain, for obtaining privileges not otherwise available to them, or for soliciting donations or contributions, except in the performance of assigned duties or where authorized by the City Manager.
- B. Employees shall not permit or authorize use of their names, photographs or official titles which identify them as City employees, or permit or authorize the name or logo of the City of Huntsville, or any of its departments or offices, or property of the City to be used in connection with testimonials or advertisements of any commodity or commercial enterprise, for any personal reasons, or for soliciting donations or contributions, without the approval of the City Manager or designee.

12.05 Disclosure of Information

A. Employees shall not make known any information concerning an investigation, a known or reported law violation, a condition against which action is to be taken at a future time, or any proposed enforcement action to any person not authorized to receive it.

interests. Remember that your personal and professional lives overlap in your online activity; thus, before posting, consider how your comment or behavior would be received if it appeared in the mass media. In other words, behave as if you are in any other public setting.

- Individual supervisors do not have the authority to make exceptions to these guidelines.

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
 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 as 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.
- 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.

employee regards as threatening or violent when that behavior is job-related or might be carried out on City property, a City-controlled site or City job site, or when that behavior is in any manner connected to City employment or activity. Each employee is responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons threatened or the target of the threatening behavior. A supervisor who is made aware of such a threat or other conduct must immediately notify his/her Department Director and the Director of Human Resources.

- D. Protective Orders: Employees who apply for or obtain a protective or restraining order which lists City locations as being protected areas must immediately provide to the Director of Human Resources and the City's Police Department a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent. City employees must immediately advise their Department Director and the Director of Human Resources of any protective or restraining order issued against them.
- E. Confidentiality: To the extent possible, while accomplishing the purposes of this policy, the City will respect the privacy of reporting employees and will treat information and reports confidentially. Such information will be released or distributed only to appropriate law enforcement personnel, City management, and others on a need-to-know basis and as may otherwise be required by law.
- F. City Property: For purposes of this policy, City property includes but is not limited to owned or leased vehicles, buildings and facilities, entrances, exits, break areas, parking lots and surrounding areas, recreation centers, swimming pools, and parks.
- G. Documentation: When appropriate, threats and incidents of violence will be documented. Documentation will be maintained by the Director of Human Resources and/or the Police Department.
- H. Policy Violations: Violations of this policy may lead to disciplinary action, up to and including termination of employment. Policy violations may also result in arrest and prosecution.

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14.01 At-will Employment

- A. At-will employment is not affected by any progressive discipline process.
- B. Employment with the City is at-will and either the employee or the employer may terminate the relationship at any time for any reason not contrary to law or no reason at all. Any employee of the City may be removed with or without cause. This removal power is subject to any exceptions in the City Charter.
- C. The at-will status of any employee may not be modified or rescinded by any oral or written statements by any person, including appointed or elected officials, any employee handbooks, employment applications, or other materials provided to employees.
- D. Nothing in this policy manual is intended to change or modify the at will status of City employees or to create or confer any property rights or expectations of continued employment to any employee.

14.02 Progressive Discipline

- A. The City may use a progressive disciplinary system. The City is not obligated to use all of the progressive disciplinary steps available, and may begin the disciplinary process at any level, up to and including immediate discharge without the use of prior disciplinary steps, depending upon the severity of the conduct, prior work performance and prior disciplinary history, length of service, and any mitigating circumstances.
- B. Disciplinary action may consist of any of the steps identified below. Police and fire employees are also subject to the provisions of Chapter 614 Subchapter B in the Local Government Code.
 - 1. Verbal warning or counseling
 - 2. Written warning or reprimand
 - 3. Suspension with or without pay
 - 4. Probation
 - 5. Last Chance Agreement
 - 6. Demotion
 - 7. Discharge
- C. All forms of discipline, other than verbal warnings, must be documented and will be placed in the employee's official file. In the event an employee is to be discharged, the supervisor shall forward a copy of the documentation to Human Resources for review prior to taking the action.

14.03 Supervisor Responsibilities

- A. All employees with the responsibility and authority to supervise and direct employees under their control shall administer policies and procedures within their scope of authority; document subordinate job performance, conduct, and behavior as appropriate; properly conduct evaluations of subordinates in a timely manner; discipline subordinates as required under their departmental and City policies and procedures, as well as address performance appeals submitted to them as provided by policy in a professional manner, in an attempt to resolve such issues at the lowest possible supervisory level.

14.04 Human Resources Review

- A. Proposed disciplinary actions in excess of verbal warnings should be reviewed by Human Resources prior to being given to the employee. This applies to both employees serving their initial orientation periods and regular employees who have completed their initial orientation periods.
- B. Proposed disciplinary actions consisting of suspensions or above (demotion, discharge or other) must be reviewed by Human Resources. This applies to both employees serving in their initial orientation periods and regular employees who have completed the initial orientation periods.

14.05 Employee Discharge Processing

- A. Department Directors must approve all disciplinary actions and coordinate with Human Resources to ensure proper documentation. Two supervisors or the supervisor and a representative from Human Resources must be present during employee terminations.
- B. Exiting employees must schedule an appointment with Human Resources for completion of final paperwork regarding return of City property, final pay and benefits.

14.06 Appeals of Discipline

- A. All employees are employed "at will." In cases where disciplinary actions involve suspension, demotion or discharge, employees normally are provided an opportunity to respond to the allegations prior to disciplinary action. Employees may request a review by the next level supervisor up to review by the City Manager. However, positions classified at the director level and above are employed at the will and pleasure of the City Manager and have no right of appeal for any type of disciplinary action, including termination.
- B. Employees serving their initial orientation periods have no right of appeal for disciplinary action taken against them, including termination.

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

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

30. Sleeping on the job (except for fire Department personnel who are governed by applicable Fire Department Rules and Regulations)
31. Dishonesty, including misrepresentation during the hiring process
32. Disruptive activity in the workplace
33. Accumulation of minor infractions

14.08 Pre-Disciplinary Process

- A. Prior to any suspension, demotion or termination, employees will be provided, in writing, an outline of the rule violations, conduct or behavior leading up to the proposed disciplinary action. Subsequently, the employee will be provided an opportunity to respond, in writing, to the conduct leading up to the proposed disciplinary action.
- B. During any investigation of any conduct or behavior which may result in discipline, employees may be placed on administrative leave at the City's sole discretion. This leave may be with or without pay, or may be charged to available accrued leave if authorized by the City Manager.

15.01 Appeals and Grievances Definitions

- A. An appeal is a formal process whereby employees may dispute disciplinary actions above the written reprimand level. Employees may appeal disciplinary actions through this process.
- B. A grievance is a formal process whereby employees may complain about perceived inconsistent or unlawful treatment, inconsistent interpretation or application of City or department policies, procedures or practices, and retaliation. Employees may file grievances through this process.

15.02 Grievance Process

- A. Employees desiring to submit complaints or grievances must first discuss them with their immediate supervisor or Director as appropriate.
- B. If the matter is not resolved to the satisfaction of the employee, the employee must discuss the matter with the Department Director. Matters submitted to the employee's Department Director must be submitted in writing within three (3) business days of receiving the verbal response from the supervisor.
- C. Department Directors must respond, in writing, to the grieving employees, within five (5) business days of receipt the grievance. If circumstances require an extension of the five days, the Director must communicate to the employee the reason and agree on a time line for response.
- D. If the matter is not resolved to the satisfaction of the employee, and the employee desires to forward the issue to the City Manager, the employee must present the matter to the Director of Human Resources, in writing, within three (3) business days of receiving the response from the Department Director. Employees must state: 1) the basis of the grievance, 2) why the Department Director's response is not satisfactory and 3) the employee's desire to have the grievance considered by the City Manager. Upon receipt of the grievance, the Director of Human Resources will forward the written grievance to the City Manager.
- E. At the discretion of the City Manager, a review or investigation of the grievance may be conducted.
- F. The decision of the City Manager is final.

15.03 Response to a Written Reprimand and Below

- A. Employees may write a response to a written reprimand and have it filed in the personnel file with the original disciplinary document.

15.04 Appeals Process for Actions above Written Reprimand

- A. All disciplinary actions above the written reprimand level (suspension, demotion, discharge, etc.) must be forwarded to the Department Director within three (3) business days of the action for review. Employees may request review of the Department Director's decision to the City Manager. Therefore, appeal for relief to the City Manager must be submitted in writing to the Director of Human Resources, within three (3) business days of the action. In requesting the appeal, employees must state: 1) the reason for the appeal, 2) requested resolution and 3) a desire to have the appeal considered by the City Manager.
- B. At the discretion of the City Manager, a review or investigation of the appeal may be conducted.
- C. The decision of the City Manager is final.
- D. If the decision through the appeal process is reinstatement, the employee's pay will be restored and the employee may be paid for any time lost through the appeals process. The original documentation will be placed in the employee's personnel file along with the final decision of the City Manager.

16.01 Voluntary Separation

- A. Voluntary separation, in the form of termination by resignation or retirement, occurs when employees voluntarily resign with a written two week notice stating the final working day and the reason for the resignation. Employees who provide such notice will be determined to have left in good standing. It is understood that, in most Director level positions, generally a longer notice period is acceptable practice.
- B. Departments will retain responsibility for gathering all keys, phones, equipment, badges and other items for which the exiting employees are responsible, and ending electronic access to systems and programs.
- C. Payouts will include all time and accruals based on current policy, which are identified in a separate section of this policy.

16.02 Involuntary Separation

- A. Involuntary separation may be in the form of disciplinary termination, termination for incapacity, job abandonment, or reduction in force or death.
- B. Dismissal/Termination. The City may terminate an employee's employment as a result of unsatisfactory performance or conduct and/or violation of City policies or procedures, including a new hire who fails to successfully complete the orientation period. City employees who are terminated, or who resign in lieu of termination, due to unsatisfactory performance, pending results of an investigation, or conduct and /or violation of City policies or procedures, are not eligible for rehire.
- C. Dismissal may also occur for the following:
 - 1. Job Abandonment. If an employee fails to properly notify the City of an absence from work or if an employee is absent without authorization and/or notification for two or more consecutive days, the City will normally consider the employee to have abandoned employment, and the employee will be considered to have resigned from the position.
 - 2. Long-Term Absence. Leave of absence may be granted if it is a reasonable accommodation justified by medical necessity and doesn't create an undue hardship on the City. This policy will be administered consistently with the City's obligations under the Americans with Disabilities Act.
 - 3. Incapacity. An employee may be terminated for incapacity when after engaging in communication with Human Resources, they no longer meet the physical or mental requirement of the job with or without accommodations. A termination for

incapacity is not considered a disciplinary action. The employee may then elect to receive accrued vacation and sick leave benefits if provided by policy, if any, payable upon termination.

4. Reductions-in-Force/Reorganization. An employee may be separated from City service when it is deemed necessary by reason of shortage of funds or work, the abolition of the position, or other material change in the duties of the organization, or for other reasons which are outside the employee's control and which do not reflect discredit upon the service of the employee.
 5. Death. If a City employee dies, the designated beneficiary or estate will be paid all earned pay and payable benefits.
- D. Departments will retain responsibility for gathering all keys, phones, equipment, badges and other items for which the exiting employees are responsible, and ending electronic access to systems and programs.
 - E. Payouts will include all time and accruals based on current policy, which are identified in a separate section of this policy.
 - F. Employees who are involuntarily separated due to disciplinary actions and who are unsuccessful in any appeal process will retain the original termination date.

16.03 Reduction in Force

- A. The policy of the City of Huntsville is to ensure departments and divisions are staffed with adequate personnel to provide effective and efficient delivery of services to the citizens. When economic or other conditions create funding difficulties which may necessitate reduction in delivery of services to the citizens, the City may be required to reduce staffing levels in certain departments or divisions. This policy applies to all regular full-time employees at the City, including police officers and fire fighters.
- B. Department Directors may reduce the work force in their respective departments by laying off an employee by reason of abolition of position, changes in services, shortage of work or funds or other reasons outside the employee's control which do not reflect discredit on the work performance of the employee. Reduction in force is not considered disciplinary. All recommended reduction in force and reorganization decisions must be discussed with Human Resources. An employee whose position has been eliminated in one department or division may be transferred to a comparable position elsewhere in the City, if such position is available and the employee meets the minimum qualifications of the new position. Compensation may be adjusted accordingly. The City cannot guarantee the employee another position.