

Welcome to the City of Houston

Date: November 18, 2013

Dear Employee,

We're very happy to welcome you to the City of Houston. Thank you for joining us! We want you to feel that your association with the City will be a mutually beneficial and pleasant one.

You have joined an organization that has established an outstanding reputation for quality services and customer service. Credit for this goes to every one of our employees. We hope you, too, will find satisfaction and take pride in your work here.

This Manual provides answers to most of the questions you may have about the City of Houston's benefit programs, as well as City policies and procedures - our responsibilities to you and your responsibilities to the City. If anything is unclear, please discuss the matter with your department head. You are responsible for reading and understanding this Employee Manual. In addition to clarifying responsibilities, we hope this Employee Manual also gives you an indication of the City's interest in the welfare of all who work here.

From time to time, the information included in our Employee Manual may change. Every effort will be made to keep you informed through suitable lines of communication, including postings on the City bulletin boards and/or notices sent directly to you in-house.

I extend to you my personal best wishes for your success and happiness at the City of Houston.

Sincerely,

Larry D Sutton
City Administrator,
City of Houston

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You're Part of Our Team

As a member of the City of Houston's team, you will be expected to contribute your talents and energies to improve the environment and quality of the City, as well as the City's services. In return, you will be given opportunities to grow and advance in your career.

The City is dedicated to two standards:

- To provide our citizens with the best quality services at the best prices possible.
- To provide you with wages and benefits comparable to others doing similar work within the industry and within the region.

The only things we require for employment, compensation, advancement, and benefits are performance and a good team attitude; however, all employment at the City is "at will." No one will be denied opportunities or benefits on the basis of age, gender, color, race, creed, national origin, religious preference, marital status, political belief, or disability that does not prohibit performance of essential job functions or any other characteristic protected by law; nor will anyone receive special treatment for those reasons.

Your Various Benefits with the City of Houston

You may not have thought about it, but the value of your benefits amounts to a considerable sum each year in addition to the wages or salary you earn.

These are just some of the benefits the City of Houston provides for eligible employees each year:

- Competitive Wages
- Funeral (Bereavement) Leave
- Term Life Insurance
- Health Care
- Paid Holidays
- Paid Vacations
- Personal Leave of Absence
- Personal Time
- Retirement Plan
- Sick Leave
- Social Security
- Unemployment Compensation Insurance
- Workers' Compensation Insurance

Purpose of This Manual

This Manual has been prepared to inform you about the City of Houston's history, philosophy, employment practices, and policies, as well as the benefits provided to you as a valued employee and the conduct expected from you.

No employee manual can answer every question, nor would we want to restrict the normal question and answer interchange among us. It is in our person-to-person conversations that we can better know each other, express our views, and work together in a harmonious relationship.

We hope this Manual will help you feel comfortable with us. We depend on you, your success is our success. Please don't hesitate to ask questions. Your Department Head will gladly answer them. We believe you will enjoy your work and your fellow employees here. We also believe you will find the City a good place to work.

We ask that you read this Manual carefully, and refer to it whenever questions arise. We also suggest that you take it home so your family can become familiar with the City and our policies.

The City's policies, benefits and rules, as explained in this Manual, may be changed from time to time as business, employment legislation, and economic conditions dictate. If and when provisions are changed, you will be given replacement pages for those that have become outdated. A copy will also be placed in your Department's copy of the employee manual.

Notice

The policies in this Manual are to be considered as guidelines. The City of Houston, at its option, may change, delete, suspend or discontinue any part or parts of the policies in this Manual at any time without prior notice. However, all employees will be notified of such changes, deletions, suspensions, etc. Any such action shall apply to existing as well as future employees with continued employment being the consideration between the employer and employee. Employees may not accrue eligibility for monetary benefits that they have not earned through actual time spent at work. Employees shall not accrue eligibility for any benefits, rights, or privileges beyond the last day worked. No one other than the City Administrator with approval of the Board of Aldermen of the City may alter or modify any of the policies in this Manual. No statement or promise by a Department Head may be interpreted as a change in policy nor will it constitute an agreement with an employee.

Should any provision in this Employee Manual be found to be unenforceable and invalid, such finding does not invalidate the entire Employee Manual, but only the subject provision.

About The City of Houston

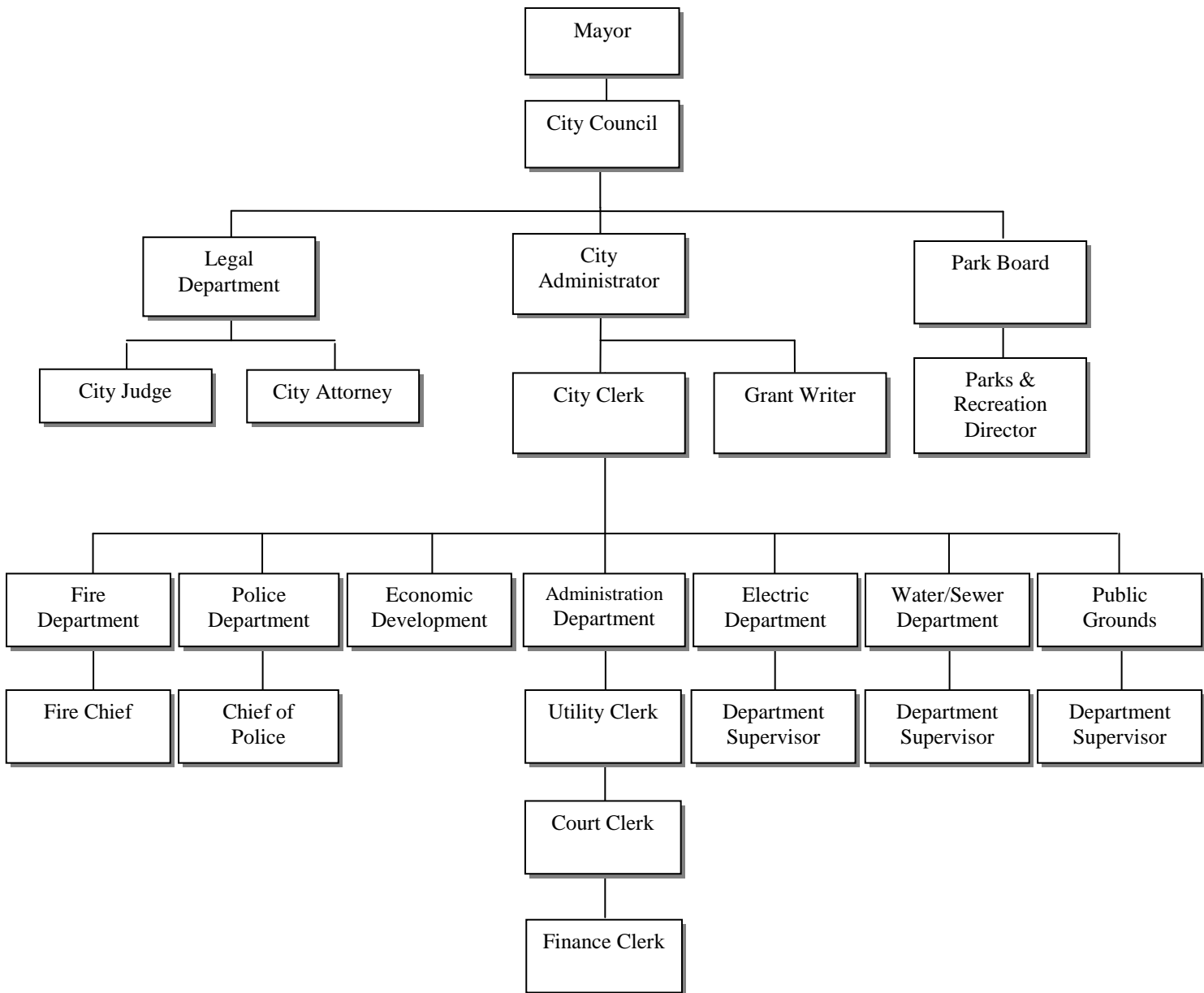
The Mayor and Board of Aldermen, which is composed of elected representatives of the people, pass all ordinances and determine the general goals of the City. To help carry out its decisions, the Board of Aldermen appoints a City Administrator to carry out and oversee the day to day operations of the City.

The City Administrator is directly responsible to the Board of Aldermen for the work of the City departments. Every City employee is assigned to a department.

The City of Houston's established employee relations policy is to:

- Select people on the basis of skill, training, ability, attitude, and character without discrimination with regard to age, gender, color, race, creed, national origin, religious preference, marital status, political belief, or disability that does not prohibit performance of essential job functions.
- Review wages, employee benefits and working conditions constantly with the objective of providing maximum benefits in these areas, consistent with sound business practices.
- Provide paid vacations and holidays to all eligible employees.
- Provide eligible employees with medical, retirement, and other benefits.
- Develop competent people who understand and meet our objectives, and who accept with open minds the ideas, suggestions and constructive criticisms of fellow employees.
- Assure employees, after talking with their Department Head, an opportunity to discuss any problem with the City Administrator.
- Make prompt and fair adjustment of any complaints which may arise in the everyday conduct of our business, to the extent that is practicable.
- Respect individual rights and treat all employees with courtesy and consideration.
- Maintain mutual respect in our working relationship.

- Promote employees on the basis of their experience, performance, evaluation and examinations where feasible.
- Make promotions or fill vacancies from within the City of Houston whenever possible.
- Keep all employees informed of the progress of the City, as well as the City's overall goals and objectives.
- Do all these things in a spirit of friendliness and cooperation so that the City will continue to be known as, "a great place to work"!



What The City Expects From You

Your first responsibility is to know your own duties and how to do them promptly, correctly and pleasantly. Secondly, you are expected to cooperate with management and your fellow employees and maintain a good team attitude. How you interact with fellow employees and those whom the City of Houston serves, and how you accept direction can affect the success of your department. In turn, the performance of one department can impact the entire service offered by the City. Consequently, whatever your position, you have an important assignment: perform every task to the very best of your ability. The result will be better performance for the City overall and personal satisfaction for you.

You are encouraged to grasp opportunities for personal development that are offered to you. This Manual offers insight on how you can positively perform to the best of your ability to meet and exceed the City's expectations.

We strongly believe you should have the right to make your own choices in matters that concern and control your life. We believe in direct access to management. We are dedicated to making the City of Houston a City where you can approach your department head to discuss any problem or question. We expect you to follow the chain of command when voicing your opinions and contributing your suggestions to improve the quality of the City. We're all human, so please communicate with each other and with your department head.

Remember, you help create the healthful, pleasant and safe working conditions that the City intends for you. Your dignity and that of fellow employees, as well as that of our citizens, is important.

The City of Houston needs your help in making each working day enjoyable and rewarding.

Personnel Administration

The task of handling personnel records and related personnel administration functions at the City of Houston has been assigned to the City Clerk. Questions regarding insurance, wages, and interpretation of policies may be directed to the City Clerk, or the City Administrator.

Your Personnel File

Keeping your personnel file up-to-date can be important to you with regard to pay, deductions, benefits and other matters. If you have a change in any of the following items, please be sure to notify your department head or the City Clerk as soon as possible:

- Legal name
- Home address
- Home telephone number or contact number
- Person to call in case of an emergency
- Number of dependents
- Marital status
- Change of beneficiary
- Driving record or status of driver's license, if you operate any of the City of Houston vehicles
- Military or Active Reserve Status
- Exceptions on your W-4 form

Coverage or benefits that you and your family may receive under the City of Houston's benefits package could be negatively affected if the information in your personnel file is incorrect.

Since The City of Houston refers to your personnel file when we need to make decisions in connection with promotions, transfers, layoffs and recalls, it's to your benefit to be sure your personnel file includes information

about completion of educational or training courses, outside civic activities, and areas of interest and skills that may not be part of your current position here.

You may see information that is kept in your own personnel file if you wish, and you may request and receive copies of all documents you have signed. Please ask your department head to make arrangements for you with the City Clerk.

Personnel files are kept confidential to the maximum extent permitted by law. Except for routine verifications of employment, no information from an employee's personnel file will be released to the public without a written request for specific information and a signed release from the employee. Employee salary and benefit information are considered closed records under the Missouri Sunshine Law, Chapter 610, Revised Statutes of Missouri. Unless specifically required by process of law, this information will not be disclosed.

Employment Classifications

Full-Time Employees

At the time you are hired, you are classified as full-time, part-time or temporary and are also told whether you qualify for overtime pay. Unless otherwise specified, the benefits described in this Manual apply only to full-time employees. All other policies described in this Manual and communicated by the City of Houston apply to all employees, with the exception of certain wage, salary and time off limitations applying only to "non-exempt" (see the definition that follows) employees. If you are unsure of which job classification your position fits into, please ask your department head.

An employee who has successfully completed the introductory period (see the Employment Policies section for definition) of employment and who works at least forty (40) hours per week is considered a full-time employee.

If you were a full-time employee and were laid off, you will be considered a full-time employee upon return to work, provided that you were not on layoff for longer than one (1) year.

If you were a full-time employee and have been on an approved leave of absence, upon return you will be considered a full-time employee, provided you return to work as agreed in the provisions of your leave.

Part-Time Employees

An employee who works less than a regular forty (40) hour work week is considered a part-time employee. The standard work week is from Monday morning through Sunday night. If you are a part-time employee, please understand that you are not eligible for benefits described in this Manual, except as granted on occasion, or to the extent required by provision of state and federal laws.

Temporary Employees

From time to time, the City of Houston may hire employees for specific periods of time or for the completion of a specific project. An employee hired under these conditions will be considered a temporary employee. The job assignment, work schedule and duration of the position will be determined on an individual basis.

Normally, a temporary position will not exceed seven (7) months in duration, unless specifically extended by a written agreement. Summer employees are considered temporary employees.

If you are a temporary employee, please understand that you are not eligible for benefits described in this Manual, except to the extent required by provision of state and federal laws. Those temporary employees classified as "non-exempt" (see the definition that follows) who work more than forty (40) hours during any work week will receive overtime pay.

"Non-Exempt" and "Exempt" Employees

At the time you are hired, all employees are classified as either "exempt" or "non-exempt." This is necessary because, by law, employees in certain types of jobs are entitled to overtime pay for hours worked in excess of forty hours (40) per work week. These employees are referred to as "non-exempt" in this Manual. This means that they are not exempt from (and therefore should receive) overtime pay.

Please see the "Wage & Salary Policies" in the "Compensation & Performance" section of this Manual for a full description of overtime payment policies.

Exempt employees are the City Administrator, Police Chief, and the Economic Development Director, and others whose duties and responsibilities allow them to be "exempt" from overtime pay provisions as provided by the Federal Fair Labor Standards Act (FLSA) and any applicable state laws. If you are an exempt employee, you will be advised that you are in this classification at the time you are hired, transferred, or promoted.

Employment Policies

One of the first things you should do is carefully read this Manual. It is designed to answer many of your questions about the practices and policies of the City of Houston, what you can expect from the City of Houston, and what the City of Houston expects from you.

Affirmative Action Plan

The City assures that it will take appropriate non-discriminating hiring measures.

The minimum age for employment with the City is eighteen (18) except for seasonal employment for which the minimum age is sixteen (16).

Residential Requirements

The City Administrator and Police Chief shall be required to live within the City limits. The City Clerk shall be required to live within the Postal 65483 Zip Code Area.

Anniversary Date

The first day you report to work is your "official" anniversary date. Your anniversary date is used to compute various conditions and benefits described in this manual.

Employee Counseling

The City of Houston will use a counseling form when appropriate, with the employee signing and acknowledging receipt of a copy of the counseling form. This will go in employee personnel file.

At Will Employment

All employment and compensation with the City of Houston is "at will" which means that your employment can be terminated with or without cause, and with or without notice, at any time, at the option of either the City or yourself, except as otherwise provided by law.

Business Hours

The standard work week for City employees shall be five (5) days or a total of forty (40) hours per week. The City of Houston's wide variety of services provided results in many variations of the normal work day. For example, most

office employees' regular operating hours are 8 A.M. to 5 P.M., Monday through Friday.

Public works employees have working hours that vary considerably due to the nature of the activities. Most cemetery, park and public works employees' normal operating hours are 8 hour shifts with lunch and breaks to be determined by the Department Head, Monday through Friday.

The Police Department must be operated 24 hours a day seven days a week. Police personnel work eight or ten-hour shifts. The police department is governed by its own specific set of rules and regulations for employment.

Police Department Personnel should refer to the Houston Police Department policy manual for further information.

You are required to take an unpaid lunch period daily; please understand that "working through lunch" in order to arrive late or to leave early or to work extra time is at the discretion of your Department Head.

Public Relations

The success of the City of Houston depends upon the quality of the relationships between the City, our employees, our citizens, our suppliers and the general public. Our service as employees, determines the impression our citizens, our customers, and our visitors have of the City. In a sense, regardless of your position, you are a representative of the City. The more goodwill you promote, the more our citizens will respect and appreciate you and the City of Houston.

Here are several things you can do to help give citizens a good impression of The City of Houston

- Act competently and deal with citizens in a courteous and respectful manner
- Communicate pleasantly and respectfully with other employees at all times
- Follow up on work orders, requests and questions promptly, provide businesslike replies to inquiries and requests, and perform all duties in an orderly manner
- Take great pride in your work and enjoy doing your very best

These are the building blocks for your and the City's continued success. Thank you for adding your support

Drivers License and Driving Record

Employees whose work requires operation of a motor vehicle must present and maintain a valid driver's license and a driving record acceptable to our insurer. You will be asked to submit a copy of your driving record to the City of Houston from time to time. Any changes in your driving record must be reported to your Department Head. It will be the responsibility of the Department Head to forward the information to the City Clerk or City Administrator. Failure to do so may result in disciplinary action, including possible dismissal.

Driver's License Requirement

All employees except the Police Department, City Clerk, City Administrator, City Attorney, Economic Development Director, Administrative Secretary and Utility Office and office personnel Employees are required to present and maintain CDL license as a requirement for employment. Should you fail to maintain these qualifications, you may be subject to dismissal. The electric, water, public grounds, and sewer department personnel CDL must be air brake certified.

City Equipment

City equipment is for official use only. City equipment is assigned to Departments but is available for any necessary City use. When it becomes necessary to use equipment assigned to another Department, the Department Head who is assigned responsibility for the equipment shall be notified as far as possible in advance of the date when the equipment is needed. The Department Head responsible for the equipment shall not unreasonably withhold equipment needed for authorized City work by another Department.

Equal Employment Opportunity

The City of Houston has a long standing record of nondiscrimination in employment and opportunity because of race, color, religion, creed, national origin, ancestry, disability, gender or age. The Board of Aldermen has issued the following policy stating the City's views in this matter:

It is the policy of the City of Houston to:

- Strictly follow personnel procedures that will ensure equal opportunity for all people without regard to race, color, religion, creed, national origin, gender, age, ancestry, marital status, disability, veteran or draft status;
- Comply with all the relevant and applicable provisions of the Americans with Disabilities Act ("ADA"). The City of Houston will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability.
- Make reasonable accommodations wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the duties and assignments connected with the job and provided that any accommodations made do not require significant difficulty or expense.
- Achieve understanding and acceptance of the City of Houston's policy on Equal Employment Opportunity by all employees and by the communities in which the City operates.
- Thoroughly investigate instances of alleged discrimination and take corrective action if warranted;

At this time, the City of Houston would like to reaffirm this policy and call upon all personnel to effectively pursue the policy as stated.

Please check the employee information area in each department for all related equal opportunity and job announcements.

Any employees, including Department Heads, involved in discriminatory practices will be subject to discharge.

Former Employees

Depending on the circumstances, the City of Houston may consider a former employee for re-employment. Such applicants are subject to the City's usual pre-employment procedures. To be considered, an applicant must have been in good standing at the time of their previous termination of employment with the City and must have provided at least two weeks advance notice of their intention to terminate their employment with the City.

Reinstatement of Benefits (Bridging)

In the event you return to work for the City of Houston, regardless of the length of your previous employment and length of time since you terminated your employment with the City, your benefits shall accrue as if you were a new/first-time City employee.

Physical Health Examinations

The City of Houston reserves the right to require an applicant to participate in a post-offer, pre-employment physical health examination to determine the applicant's fitness to perform their essential job functions. All such health exams shall be conducted by a licensed physician and paid for by the City. Your employment is pending the outcome of your health examination.

Any candidate may be disqualified from consideration if:

- found physically unable to perform the essential functions of the position and the individual's condition cannot reasonable be accommodated in the workplace.
- the candidate refuses to submit to a medical examination or to complete medical history forms, or if the exam reveals use of controlled substances.

How You Were Selected

We carefully select our employees through written application, personal interview and reference checks. After all available information was carefully considered and evaluated; you were selected to become a member of our team.

This careful selection process helps the City to find and employ people who are concerned with their own personal success and the success of the City; people who want to do a job well and who can carry on their work with skill and ability; and people who are comfortable with the City and who can work well with our team.

Probationary Period

Your first six (6) months of employment at the City of Houston are considered a probationary period, and during accrue some of that period you will not the benefits i.e. vacation, retirement, paid holidays described in this manual unless otherwise required by law. This probationary period will be a time for getting to know your fellow employees, your Department Head and the tasks involved in your job position, as well as becoming familiar with the City's services. Your Department Head will work closely with you to help you understand the needs and processes of your job.

This probationary period is a try-out time for both you, as an employee, and the City, as an employer. During this probationary period, the City will evaluate your suitability for employment, and you can evaluate the City as well. At any time during these first six (6) months, you may resign without any detriment to your record.

Each City employee receiving an appointment or a promotion to a position in the service of the City must serve a probationary period of six (6) months before his appointment or promotion shall be considered permanent. If the employee fails to meet the required standard of performance, they are to be dismissed, or if they are a promoted regular employee, they may be restored to the position from which they were promoted or to a comparable position. During the probationary period of a new employee, the employee is not eligible for employee fringe benefits, such as sick leave and vacation, but will earn credit for those to be taken at a later date after the completion of the probationary period. However, after three (3) months of employment an employee does qualify for health care benefits. Wages for designated holidays falling within the probationary period will be paid to employees serving the probationary period.

Please understand that completion of the introductory period does not guarantee continued employment for any specified period of time nor does it require that an employee be discharged only for "cause". If there is reason to believe that the employee may develop the ability to perform satisfactorily by an extension of the introductory period, the Department Head may grant an extension not to exceed sixty (60) days. In addition the employee must have completed their High School Equivalence (GED) before the end of the probationary period if they have not previously done so.

At the end of each employee's introductory period or extension of said period, the supervisor of the employee shall complete an employee evaluation and notify the City Administrator in writing that either:

1. The employee has successfully completed his or her introductory period and is capable of performing the duties of the position satisfactorily and is henceforth to be considered a regular employee with all rights and privileges due them.
2. The employee has not demonstrated ability to perform satisfactorily the duties of the position and the probationary period is to be extended or the employee is to be separated from City government, or if promoted from

another position returned to the previous or a similar position.

A copy of the completed evaluation form will be placed in the employee's personnel file.

A former employee who has been rehired after a separation from the City is considered an introductory employee during the six (6) months following rehire.

Knowledge of the City of Houston

After having learned to competently perform your own duties, your next step is to familiarize yourself with other City of Houston activities. This can prove valuable to you, our citizens and the City of Houston as well. The City may provide additional "cross-training."

Knowledge of the services of the City will help you be prepared when citizens ask questions. Our citizens' confidence in you increases as you are able to answer their basic questions. However, please don't pretend you know the answer or try to guess the answer when you are uncertain. If you are unsure of the correct information, refer the inquiry to your Department Head, or to a person more qualified to respond.

Outside Employment and Conflicts of Interest

What you do on your free time is your own business, as long as those activities do not affect your employment with the City of Houston. However, if you are employed by The City of Houston in a full-time position, the City will expect that your position here is your primary employment. Any outside activity must not interfere with your ability to properly perform your job duties at the City. Employees shall not, directly or indirectly, engage in any outside employment or financial interest which may conflict, in City of Houston's opinion, with the best interest of the City of Houston or interfere with the employee's ability to perform their assigned job. Examples include, but are not limited to, outside employment that:

- prevents the employee from being available for work beyond normal working hours, such as during emergencies or peak work periods, when such availability is a regular part of the employee's job;
- is conducted during the employee's work hours;
- utilizes the City of Houston telephones, computers, supplies, or any other resources, facilities, or equipment;
- involves employment with a firm that has contracts with or does business with the City of Houston
- may reasonably be perceived by members of the public as a conflict of interest or otherwise discredits public service.
- no employee may participate in any program operated by the City of Houston, which could result in personal gain to that employee. Exceptions to this policy includes programs operated by the City of Houston that have regulations that all eligible applicants are treated equally regardless of their employment status with the city.

If you are thinking of taking on a second job, you must notify your department head immediately. They will thoroughly discuss this opportunity with you to make sure that it will not interfere with your job at the City nor pose a conflict of interest.

If you are a full time City employee, you must have prior written approval from the City Administrator to accept outside employment, whether part-time, temporary or permanent. Approval shall not be granted when such outside employment conflicts or interferes, or is likely to conflict or interfere, with the employee's municipal service. Each change in outside employment shall require separate approval.

Employees may not engage in any private business or activity while on duty. No employee shall engage in or accept private employment or render any service for private interest when such employment or service is incompatible or creates a conflict of interest with his official duties.

Proof of U.S. Citizenship and/or Right to Work in the U.S.

Federal regulations require that 1) before becoming employed, all applicants must complete and sign Federal Form I-9, Employment Eligibility Verification Form; and 2) all applicants who are hired need to present documents of identity and eligibility to work in the U. S.

Federal Law requires all employers maintain a completed Immigration and Naturalization Service (INS) eligibility verification statement (form I-9) for every employee. This form confirms that the individual being hired is legally eligible to work in the United States and is the same person whose name appears on the papers of documentation.

The City of Houston is committed to employing only United States citizens and aliens who are authorized to work in the United States and comply with the Immigration Reform and Control Act of 1986.

As a condition precedent to employment, each new employee must present identification as indicated by INS, properly complete, sign and date the first section of the Immigration and Naturalization service form I-9. Failure to do so will prevent the employee from working until documentation is completed.

Relatives

Effective upon approval of this ordinance, no immediate family member of any employee or council member may be hired by the City of Houston. For purposes of this section, your immediate family is defined as wife, husband, mother, father, brother, sister, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparents, grandchildren, stepmother, stepfather, brother-in-law, sister-in-law, uncle, and aunt. Present employees shall not be discharged because of a violation of this section. If employees are unable to develop a workable solution, the City Administrator of the City will decide which employee may be transferred in such situations. Should two present employees that work together or supervise each other enter into a personal, non-work related relationship, one or both employees shall be transferred to different departments. This prohibition shall not apply to part-time or seasonal employees.

Political Activity

City employees shall not be appointed or retained on the basis of their political activity. City employees shall not be coerced to take part in political campaigns, to solicit votes, to levy, contribute or solicit funds or support, for the purpose of supporting or opposing the appointment or election of candidates for any municipal office. No City employee shall actively advocate or oppose the candidacy of any individual for nomination or election to any municipal office, but an employee may participate in political affairs at other levels of government, provided such participation does not adversely affect their performance as a city employee. Employees are expected to exercise their right to vote in municipal election, but shall not engage in, or participate in any other way, in any municipal elections.

Failure to comply with these provisions is grounds for immediate dismissal.

Any employee who meets with or may be observed by the public or otherwise represents the City of Houston to the public may not wear or display any button, badge or sticker relevant to any candidate or ballot issue while performing his/her regular duties during working hours. Employees shall not solicit on City of Houston property for any partisan political cause.

Harassment Policy

The City of Houston intends to provide a work environment that is pleasant, healthful, comfortable, and free from intimidation, hostility or other offenses, which might interfere with work performance. Harassment of any sort verbal, physical, and visual will not be tolerated.

All employees of the City of Houston have a right to work in an environment free from harassment based on race, color, gender, religion, national origin, age disability, pregnancy, military status including veterans and relation to employees for complaining of discrimination or participating in an investigation or complaint proceedings, or any other status protected by law. Therefore, the City of Houston is committed to providing a work environment that is

free from all forms of discrimination and conduct that can be considered harassing, coercive or disruptive, including sexual harassment.

What Is Harassment?

Harassment can take many forms. It may be, but is not limited to: words, signs, jokes, pranks, intimidation, physical contact or violence. Harassment does not necessarily have to be sexual in nature.

Sexually harassing conduct may include unwelcome sexual advances, requests for sexual favors, or any other verbal or physical contact of a sexual nature that prevents an individual from effectively performing the duties of their position or creates an intimidating, hostile or offensive working environment, or when such conduct is made a condition of employment or compensation, either implicitly or explicitly.

Sexual harassment is defined as, but not limited to:

- Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature.
- Submission to such conduct is stated either explicitly or implicitly as a condition of an individual's employment or career advancement
- Submission to or rejection of such conduct is used as a basis for employment or promotional decisions affecting an individual or;
- Such conduct has the purpose of or effect of unreasonably interfering with work performance or creating an otherwise offensive working environment
- Sexual harassment may include dirty jokes, inquiries into personal matters, touching, persistent advances, mental or physical intimidation, and explicit sexual contact.
- Harassment based on membership in a protected class includes, but is not limited to:
 - Name calling or derogatory comments based upon a person's status as a member of a protected class:
 - Displaying posters or cartoons which demeans or offends a particular protected class:
 - Explicitly racist remarks or: Threatening, abusive or assaultive behavior directed against someone because of their protected class

Responsibility

All the City of Houston employees, and particularly Department Heads, have a responsibility and obligation for keeping our work environment free of harassment. Any employee, who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it, must report it to their immediate supervisor or Department Head or any other City representative with whom they feel comfortable. When the City becomes aware that harassment might exist, it is obligated by law to take prompt and appropriate action, whether or not the victim wants the City to do so.

Reporting

Any incidents of harassment must be immediately reported to a supervisor or City Administrator. Appropriate investigation and disciplinary action will be taken. All reports will be promptly investigated with due regard for the privacy of everyone involved. Any employee found to have harassed a fellow employee or subordinate will be subject to severe disciplinary action or possible discharge. The City of Houston will also take any additional action necessary to appropriately remedy the situation. No adverse employment action will be taken for any employee making a good faith report of alleged harassment.

The City of Houston accepts no liability for harassment of one employee by another employee. The individual who makes unwelcome advances, threatens or in any way harasses another employee is personally liable for such actions and their consequences. The City of Houston will not provide legal, financial or any other assistance to an individual accused of harassment if a legal complaint is filed.

The following policies and procedures apply to all officers and employees of the City of Houston, Missouri including, but not limited to full and part-time employees, elected and appointed officials, permanent and temporary employees, employees covered or exempted from personnel rules or regulations, and employees or contractors working under contract for the City.

Every employee will be required to acknowledge his or her receipt of this policy in writing. A copy of that acknowledgment shall be kept on permanent file in the City. Department Heads shall also be responsible for insuring that all employees under their direction are familiar with this policy.

It is the policy of the City that sexual harassment by any employee, Board of Aldermen, board member, mayor, member of the public, or employees of outside organization will not be tolerated. Sexual harassment is generally considered to be a violation of the sex discrimination provisions of the Title VII of the 1964 Civil Rights Acts and subsequent amendments. Under no conditions will verbal and/or physical conduct of a sexual nature toward any employee be condoned. This includes such situation as employment, promotion, wage and salary increase, and any other circumstances that might contribute to an intimidated, hostile, or offensive work environment.

The following procedures apply to the filing of a sexual harassment complaint. Employees have a right to circumvent the employee chain of command in selecting which of the following persons to whom to make a complaint of sexual harassment.

- Any employee who feels they have been subjected to harassment should immediately report the incident to their supervisor. If the supervisor is in any manner a party to the sexual harassment, or does not respond to the employee's request, the employee may directly contact the City Administrator. In the event the City Administrator is the subject of the complaint, the employee may contact the Mayor or any member of the Board of Aldermen. Every supervisor receiving a report that is made against an elected official, shall notify the Mayor, or a non-offending member of the Board of Aldermen.
- Whenever possible, the initial report shall be in writing, setting forth the name of the individual making the complaint, the person(s) who is the subject of the complaint, the date(s) and the nature of the offending actions. The report shall be dated and signed by the employee making the complaint, and the supervisor or other person receiving the complaint. The employee making the complaint shall retain one copy and the person to whom the complaint is made shall retain one copy. No oral complaints will be accepted. If the employee is not contacted by the City Administrator, the City Clerk, or an elected official within three business days of the filing of the complaint, the employee lodging the complaint shall make direct contact, in writing, with one of those officials.
- Any employee who feels that any person or situation they are exposed to constitutes sexual harassment, should immediately indicate to the individual(s) involved or their supervisor that the action, words, situation, or other circumstances are unwelcome and the employee would like them/it to stop or be charged. However, employees are not required to confront the person they feel is harassing them.

All supervisors who have received a complaint of sexual harassment shall immediately inform the City Administrator, who shall conduct an investigation of the complaint and file a report with the Board of Aldermen (copy to the employee filing the complaint) indicating:

- The findings of the investigation
- Names of involved individuals
- Date(s) of incident(s)
- Proposed action

The Board of Aldermen shall review the complaint and either approve the recommended action or present for implementation an alternate action.

The penalty for participating in sexual harassment of any kind may include, but are not limited to:

- Any employee participating in sexual harassment will be subject to strict disciplinary action, which may include termination of employment.
- Outside vendors may be prohibited from trading with the City.
- The Mayor and Board of Aldermen will address disciplinary actions concerning board members, the Mayor and members of the public.

Workplace Violence

The City of Houston is concerned about the safety of its employees and is committed to maintaining a work environment that is secure and free from incidents of violence. The City will not tolerate incidents of violence; the City will give serious consideration to all reports of incidents of violence and initiate appropriate actions.

As used in this Policy, "incidents of violence" include: unwelcome forceful, physical touching; intimidating, threatening or hostile actions; intimidating, threatening or hostile communication, whether verbal, non-verbal, or written, made in person, by mail, telephone, computer, facsimile or any other means; vandalism; arson; sabotage; unauthorized possession or use of a weapon on City property or any other similar acts or communication. Employees who engage in incidents of violence will be subject to disciplinary action, up to and including terminations of their employment, and possible criminal charges.

Employees who feel they have been subjected to any incident of violence should immediately report the incident to their supervisor or other management representative. All reports will be promptly investigated. Employees who act in good faith when reporting incidents of violence will not be subject to disciplinary action or retaliation. However, any employee who makes a false or misleading report relating to incidents of violence will be subject to disciplinary action, up to and including termination of employment.

Every employee of the City of Houston plays a role and has a responsibility in maintaining a work environment that is secure and free from incidents of violence.

Drug Free Workplace

The City of Houston has a vital interest in maintaining safe, healthful, and efficient working conditions for its employees. Being under the influence of a drug or alcohol on the job may pose serious safety and health risks not only to the user, but to all those who work with the user, as well as our citizens. Public Law 100-690 requires employers to comply with regulations aimed at reducing the impact of drugs in the workplace. Accordingly, the City of Houston has established the following guidelines with regard to use, possession or sale of alcohol or drugs:

Employees are expected and required to report for work on time and in appropriate mental and physical condition. It is our intent and obligation to provide a drug-free, healthy, safe and secure work environment.

The unlawful manufacture, possession, use, distribution, sale, purchase, or transfer of, or being under the influence of, alcohol or illegal drugs is strictly prohibited while on City premises or while performing City business.

The City of Houston also recognizes drug dependency as an illness and a major health problem.

We also recognize drug abuse as a potential health, safety and security problem. Employees needing help in dealing with such problems are encouraged to seek assistance through counseling and rehabilitation services. Conscientious efforts to seek help will not jeopardize any employee's job and will not be noted in any personnel record.

Off-the-job illegal drug use which could adversely affect an employee's job performance or which could jeopardize the safety of other employees, the public or City facilities, or where such usage could jeopardize the security of City finances or business records, or where such usage adversely affects customers, or the public's trust in the ability of the City to carry out its responsibilities, will not be tolerated. Employees who are involved in or suspected of involvement in off-the-job drug activity will be considered in violation of this policy.

Employees undergoing prescribed medical treatment with a controlled substance that may affect the safe performance of their duties are required to report this treatment to their Department Head through their personal physician. Prescription drugs must be in proper prescription container.

The City reserves the right to request any employee randomly, or based upon suspicion, or who is involved in a job related accident, to consent to an alcohol and drug test.

Employees must, as a condition of employment, abide by the terms of the above policy. Any conviction under a criminal drug statute for violations occurring on or off agency premises must be reported to the City Administrator within five days after the conviction.

Standards of Conduct

Whenever people gather together to achieve goals, some rules of conduct are needed to help everyone work together efficiently, effectively, and harmoniously. Some people have problems with "rules" and "authority figures," and past experience may have justified these thoughts and feelings, however, the safety and welfare of the City of Houston's citizens shall at all times be held as a central mission of government. All employees, including part-time and volunteer firemen, are expected to represent the City of Houston to the public in a professional manner, which shall be courteous, efficient, and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignment as determined by their position and supervisor. All employees are expected to pay City of Houston Real and Personal Taxes in a timely manner, unless payment is protested as provided by law, and are further expected to timely pay all other financial obligations owed to the City.

By accepting employment with us, you have a responsibility to the City and to your fellow employees to adhere to certain rules of behavior and conduct. The purpose of these rules is not to restrict your rights, but rather to be certain that you understand what conduct is expected and necessary. When each person is aware that he or she can fully depend upon fellow workers to follow the rules of conduct, then our organization will be a better place to work for everyone.

Employees of the City of Houston should:

- Practice high moral principles in all aspects relating to activities of the City of Houston, and in personal relationships that could reflect upon the integrity of the City.
- Commit themselves to industrious work; giving a full day's labor for a full day's pay and bringing to the performance of their assigned duties an earnest effort and an attitude of cooperation.
- Never practice discrimination through the dispensation of special favors or privileges to anyone, whether or not for remuneration; never accept, for themselves or their family, favors or benefits induced by reason of City employment.
- Seek to find or employ more efficient and economical methods of accomplishing tasks.
- Engage in no business with public corporations of a governmental nature, either directly or indirectly, which is inconsistent with, or may be construed as a conflict of interest, with the performance of his governmental duties.
- Never use any information received in the performance of public duties as a means of making private profit.
- Seek to promote harmony among fellow employees and to encourage an atmosphere of cooperation and teamwork.

Separation & Disciplinary Action

Unacceptable Activities

Generally speaking, we expect each person to act in a mature and responsible way at all times. However, to avoid any possible confusion, some of the more obvious unacceptable activities are noted below. Your avoidance of these activities will be to your benefit as well as the benefit of the City of Houston. If you have any questions concerning any work or safety rule, or any of the unacceptable activities listed, please see your Department Head for an explanation.

Occurrences of any of the following violations, because of their seriousness, may result in immediate dismissal without warning:

- Willful violation of any City rule; any deliberate action that is extreme in nature and is obviously detrimental to the City of Houston's efforts to operate efficiently.
- Willful violation of security or safety rules or failure to observe safety rules or the City's safety practices; failure to wear required safety equipment; tampering with the City equipment or safety equipment.
- Negligence or any careless action which endangers the life or safety of another person.
- Being intoxicated or under the influence of controlled substance drugs while at work; use or possession or sale of controlled substance drugs in any quantity while on City premises except medications prescribed by a physician, which do not impair work performance.
- Unauthorized possession of dangerous or illegal firearms, weapons or explosives on City property or while on duty.
- Engaging in criminal conduct or acts of violence, or making threats of violence toward anyone on City premises or when representing the City of Houston; fighting, or horseplay or provoking a fight on City property, or negligent damage of property.
- Insubordination or refusing to obey instructions properly issued by your Department Head pertaining to your work; refusal to help out on a special assignment.
- Threatening, intimidating or coercing fellow employees on or off the premises - at any time for any purpose.
- Engaging in an act of sabotage; willfully or with gross negligence causing the destruction or damage of City property, or the property of fellow employees, citizens, suppliers, or visitors in any manner.
- Theft of City property or the property of fellow employees; unauthorized possession or removal of any City property, including documents, from the premises without prior permission from management; unauthorized use of City equipment or property for personal reasons; using City equipment for profit.
- Dishonesty; willful falsification or misrepresentation on your application for employment or other work records; lying about sick or personal leave; falsifying reason for a leave of absence or other data requested by the City of Houston; alteration of City records or other City documents.
- Violating the non-disclosure agreement; giving confidential or proprietary information to competitors or other organizations or to unauthorized City employees; working for a competing business while the City of Houston employee; breach of confidentiality of personnel information.
- Malicious gossip and/or spreading rumors; engaging in behavior designed to create discord and lack of harmony; interfering with another employee on the job; willfully restricting work output or encouraging others to do the same.
- Immoral conduct or indecency on City property.
- Conducting a lottery or gambling on City premises.
- Occurrences of any of the following activities, as well as violations of any the City of Houston rules or policies, may be subject to disciplinary action, including possible immediate dismissal. This list is not all-inclusive and, notwithstanding this list, all employees remain employed "at will."
- Unsatisfactory or careless work; failure to meet production or quality standards as explained to you by your Department Head; mistakes due to carelessness or failure to get necessary instructions.
- Any act of harassment, sexual, racial or other; telling sexist or racial-type jokes; making racial or ethnic slurs.

- Leaving work before the end of a workday or not being ready to work at the start of a workday without approval of your Department Head; stopping work before time specified for such purposes.
- Sleeping on the job; loitering or loafing during working hours.
- Excessive use of City telephone for personal calls or excessive use of personal cell phone.
- Leaving your work site during your work hours without the permission of your Department Head, except to use the rest room.
- Smoking or using any form of tobacco in any City owned building, vehicle, or other facility restricted areas or at non-designated times, as specified by department rules.
- Smokeless tobacco allowed outside only.
- Creating or contributing to unsanitary conditions.
- Posting, removing or altering notices on any bulletin board on City property without permission of an officer of the City of Houston.
- Failure to report an absence or late arrival; excessive absence or lateness.
- Obscene or abusive language toward any Department Head, employee or customer; indifference or rudeness towards a customer or fellow employee; any disorderly/antagonistic conduct on City premises.
- Speeding or careless driving of equipment or any other City vehicles.
- Failure to immediately report damage to, or an accident involving City equipment
- Soliciting during working hours and/or in working areas; selling merchandise or collecting funds of any kind for charities or others without authorization during business hours, or at a time or place that interferes with the work of another employee on City premises.
- Failure to maintain a neat and clean appearance in terms of the standards established by your Department Head; any departure from accepted conventional modes of dress or personal grooming; wearing improper or unsafe clothing.

Disciplinary Actions

Unacceptable behavior which does not lead to immediate dismissal may be dealt with in the following manner:

- Verbal Warning
- First Written Warning
- Second Written Warning with time off without pay
- Dismissal

All written warnings will include the reasons for the Department Head's dissatisfaction and any supporting evidence. You will have an opportunity to defend your actions and rebut the opinion of your Department Head at the time the warning is issued. Disciplinary actions may also include suspensions or other measures deemed appropriate to the circumstances.

Discipline

The discipline policy applies to all regular employees who have completed the probationary period, and part time employees.

This policy pertains to matters of conduct as well as the employee's competence. However, an employee who does not display satisfactory performance and accomplishment on the job may be dismissed, in certain cases, without resorting to the steps set forth in this policy.

Under normal circumstances, Department Heads are expected to follow the three-step procedure outlined below. There may be particular situations, however, in which the seriousness of the offense justifies the omission of one or more of the steps in the procedure. Likewise, there may be times when the City may decide to repeat a disciplinary step.

To insure that the City of Houston business is conducted properly and efficiently, you must conform to certain standards of attendance, conduct, work performance and other work rules and regulations.

When a problem in these areas arises, your Department Head will coach and counsel you in mutually developing an effective solution. However, if you fail to respond to coaching or counseling, or an incident occurs, requiring formal discipline, the following procedures occur.

Step One: Verbal Warning

Your Department Head will meet with you to discuss the problem, making sure that you understand the nature of the violation and the expected remedy. The purpose of this conversation is to remind you of exactly what the rule or performance expectation is, and to remind you that it is your responsibility to meet that expectation.

You will be informed that the verbal warning is the first step of the discipline procedure. Your Department Head will fully document the verbal warning. Documentation of the incident will remain in the department file and will not be placed in your permanent record, unless another disciplinary transaction occurs.

Step Two: Written Warning

If your performance does not improve or if you are again in violation of the City of Houston's practices, rules or standards of conduct, your Department Head, after reviewing the situation with their Department Head, will discuss the problem with you, emphasizing the seriousness of the problem and the need for you to immediately remedy the problem.

Following the conversation, your Department Head will write a memo to you summarizing the discussion. The original memo will go to you and a copy will be routed to the City clerk's office to be placed in your personnel file.

Step Three: Second Written Warning and leave without pay

If you are again in violation of the City of Houston practices, rules or standards of conduct, you will be placed on leave without pay and a second written warning will be placed in your personnel file. The second written warning and leave without pay is the third step of the City's disciplinary system.

Employees on leave without pay will spend the time away from work deciding whether to correct the immediate problem and conform to all of the City's practices, rules and standards of conduct, or to quit and terminate their employment with the City of Houston. The length of this leave will be determined by your Department Head and City Administrator.

If your decision following the leave without pay is to return to work and abide by the City of Houston practices, rules and standards of conduct, your Department Head will write a letter to you explaining your commitment and the consequences of failing to meet this commitment. You will be required to sign the letter to acknowledge receipt. A copy of the letter will be routed to the City Administrator and the City Clerk's office. A copy will be placed in your personnel file.

You will be allowed to return to work with the understanding that if a positive change in behavior does not occur, you will be terminated. However, if you commit any of the actions listed below, or any other action not specified but similarly serious, you will be suspended without pay pending the investigation of the situation. Following the investigation, you may be terminated without any previous disciplinary action having been taken.

- Theft
- Falsification of City records
- Failure to follow safety practices
- Conflict of interest
- Threat of, or the act of, doing bodily harm
- Willful or negligent destruction of property
- Use and/or possession of intoxicants, drugs or narcotics
- Neglect of duty
- Refusal to perform assigned work or to follow a direct order

Dismissal

Employment and compensation with the City of Houston is "at will" in that they can be terminated with or without cause, and with or without notice, at any time, at the option of either the City of Houston or yourself, except as otherwise provided by law.

If your performance is unsatisfactory due to lack of ability, failure to abide by the City of Houston rules or failure to fulfill the requirements of your job, you will be notified of the problem. If satisfactory change does not occur, you may be dismissed. Some incidents may result in immediate dismissal.

Termination

The following is a partial list of reasons an employee may be terminated; however, this is not an exhaustive list. Moreover, this list is not meant to create any procedural or substantive rights to employment, such employment being at-will. An employee may be terminated:

- during or at the end of the introductory period;
- as a result of disciplinary action;
- due to loss of skills, certifications, or other conditions that would make the employee, unqualified for the position;
- if the City of Houston makes a determination that a lack of work or funding exists with respect to the employee's position; or
- if the employee has a physical or mental impairment that prevents performance of the required duties of the employee's position and the employee cannot be reasonably accommodated or refuses to engage in the accommodation process. Termination must be supported by medical evidence that establishes that the individual is unable to perform the essential functions of the job. The City of Houston may require an examination at its expense performed by a physician of its choice. Failure to submit to such request may result in termination.

Wage & Salary Policies

Application

The City of Houston applies the same principles of fairness and external comparability to all employees, regardless of organizational level, gender, religion, national origin, age, color, or race or any other characteristic protected by law.

Basis for Determining Pay

Employees shall be paid within the limits of the salary range to which their positions are assigned. New employees will usually start their employment at the minimum salary rate for their classification. However, a new employee may be employed at a higher rate than the minimum when the employee's experience, training, or proven capability warrant or when prevailing market conditions require a starting rate greater than the minimum.

Pay increases are contingent on satisfactory performance. If an employee's performance is consistently unsatisfactory, the City Administrator may defer a scheduled pay increase for a stipulated period of time or until the employee's job performance is satisfactory.

The City Administrator may propose and the Board of Aldermen may periodically grant an across the board pay adjustment (cost-of living increase) that raises the salaries of all positions by a specified amount within a defined

group or classification. The increase may be given in either flat dollar or percentage amounts. Such adjustments, if any, will not change an employee's pay anniversary date. Employee may reach the top step for their job classification so will not be eligible for a step increase unless they are promoted to another position or a cost of living increase is granted.

The City of Houston strives to reward high performance and achievement. Employees who successfully complete programs for higher licenses or certifications or who demonstrate exceptional work performance may be recommended for special merit increases by their supervisor.

Individual Pay

An individual's pay within this range will depend on his sustained performance over time. Through individual performance and by increasing job responsibilities or moving to higher level jobs, designated by your Department Head, may impact your pay.

On Call Pay

Occasionally, you may be assigned by a supervisor or Department Head to return to work after you have left the premises for the day. If you are on call, the period for such service will be one week starting each Monday the first day of the pay period, you will be compensated for each day that you are on call.

If you are called into work during this time.

- Work that is required on Saturday/Sunday/Holidays will be paid at time and one half (1 1/2) for actual time worked and employees must clock in and out. Weekend and Holiday call-outs, in addition to required work above, will be paid at the 2 hour minimum rate.

On Call Pay Rate

Water and Sewer departments: Weekly pay will be: \$30 for Monday – Friday, \$30 each day for Saturday and Sunday. \$50 for paid holidays

Electric Department: Weekly pay will be \$30 for Monday – Friday, \$40 each day for Saturday and Sunday, \$50 for paid holidays.

All on call assignments must be made by a Department Head. When an employee is assigned to be on call, the employee must not travel outside of the area or to a location that would prevent him/her to respond to a call for service. The employee must have the assigned communication device with him/her at all times during their assigned call out period, 24-7, so that they can be reached in case of a call out. In addition, the employee must remain drug and alcohol free during the entire on call assignment, so they are physically able to respond to a call for service and be able to drive a vehicle. Employees may not make arrangements for others to assume their on call duties without a supervisor's approval.

If the on call employee does not respond for any reason to a call for service, the employee forfeits all on call compensation for that day. In such an event, the on call compensation will be paid to the employee that responds to the call for service, along with any overtime accumulated as a result of the call for service.

Computing Pay of Salaried Employees

Should you be one of our "salaried" employees whose pay is not based on an hourly rate, there may be times when it is necessary to compensate you for some daily or hourly pay. When this is necessary, the City will compute your time on the basis of a forty (40) hour work week.

Deductions from Paycheck (Mandatory)

The City of Houston is required by law to make certain deductions from your paycheck each time one is prepared. Among these are your federal, state and local income taxes and your contribution to Social Security as required by

law. These deductions will be itemized on your check stub. The amount of the deductions may depend on your earnings and on the information you furnish on your W-4 form regarding the number of dependents/exemptions you claim. Any change in name, address, telephone number, marital status or number of exemptions must be reported to the City Clerk immediately, to ensure proper credit for tax purposes. The W-2 form you receive for each year indicates precisely how much of your earnings were deducted for these purposes.

Error in Pay

Every effort is made to avoid errors in your paycheck. If you believe an error has been made, tell your Department Head immediately. He or she will take the necessary steps to research the problem and to assure that any necessary correction is made properly and promptly.

Overtime Pay

From time to time, it may be necessary for you to perform overtime work in order to complete a job on time. All overtime must be approved in advance by your Department Head. When you are asked to work overtime, you are expected to cooperate as a condition of your employment.

The standard work week for employees, shall be five (5) days or a total of forty (40) hours per week.

The Department Head shall assign to each employee regular work duties and responsibilities, which can normally be accomplished within the established work day and work week. However, occasionally some overtime work may be necessary for proper performance of work duties and responsibilities.

When employees are required to work extra or prolonged shifts, the Department Head may authorize compensatory time off, if possible, or overtime pay in the event that the Department Head is unable to provide the employee with time off. The rate of pay for compensatory time off or overtime shall be one and one halftimes the employee's regular pay scale basis. Holiday and vacation days will be considered time on the job when computing overtime for all full-time hourly employees.

Work Performed on City Holidays

Full-time "non-exempt" employees who work on a City holiday will receive their normal wages for the paid holiday, plus they will be paid their overtime rate for hours worked, if the time worked qualifies for overtime pay.

Pay Period & Hours

Our payroll work week begins on Monday at 12:01 a.m. and ends on Sunday at 12:00 midnight.

Pay Cycle

Payday is every two weeks on Friday afternoon or after checks are signed for services performed for the two (2) week period ending the previous Sunday at 12:00 midnight.

Changes will be made and announced in advance whenever holidays or closings interfere with the normal payday.

Paycheck Distribution

Paychecks are distributed by your Department Head or placed in your "In" basket.

Payroll Records

The official payroll records are kept by the City Clerk. Each department head shall turn in on a regular basis a signed work record for each employee within their department noting hours worked, leave taken, and overtime worked during the previous pay period.

Resignation & Severance Pay

The City of Houston expects that you will give at least two week notice in the event you intend to leave our employment. The City does not pay severance pay. When you leave the City, you will be paid for actual time worked, plus any unused vacation time, as specified under "Vacations" in the "Benefits" section of this manual, effective the day this manual is approved by the City's Board of Aldermen.

Wage Assignments (Garnishments)

We hope you will manage your financial affairs so that we will not be obligated to execute any court-ordered sequestrations against your wages. However, whenever court-ordered deductions are to be taken from your paycheck, you will be notified.

According to the Federal Wage Garnishment Act, three (3) or more garnishments may be cause for dismissal

Work Schedule

Regular City Employees

The normal work week consists of five (5) days, eight (8) hours long, Monday through Friday. Your schedule of daily work hours will be given to you by your Department Head. You will be notified promptly whenever a change is necessary. Should you have any questions concerning your work schedule, please ask your Department Head.

Police Department Employees

Police department employees will need to refer to their department handbook regarding work schedules.

Absence or Lateness

If you are unable to report to work, or if you will arrive late, please personally contact your Department Head immediately either by phone or in person. If you are unable to get a hold of your Department Head contact the City Clerk advise him/her you will be late or absent that day. Give him/her as much time as possible to arrange for someone else to cover your position until you arrive. You must contact your Department Head no later than the beginning of your scheduled shift. If you know in advance that you will need to be absent, you are required to request this time off directly from your Department Head. He/she will determine when will be the most suitable time for you to be absent from your work.

When you call in to inform the City of Houston of an unexpected absence or late arrival, ask for your Department Head directly. For late arrivals, please indicate when you expect to arrive for work. If your Department Head is not available when you call, you must follow the chain of command to leave the information.

Absence from work for three (3) consecutive work days without notifying your Department Head or the City Clerk will be considered a voluntary resignation, unless there are extenuating circumstances.

Attendance

You are expected to be at your work area and ready to work at the beginning of your assigned daily work hours, and you are expected to remain at your work until the end of your assigned work hours, except for approved breaks and lunch.

Be aware that excessive time off could lead to disciplinary action.

Breaks/Rest Periods

Employees may take one (1) fifteen-minute break within every four hours worked. All breaks shall be arranged so that they do not interfere with work or service to the public. Employees are encouraged to take their breaks on the job site. The employee's supervisor shall schedule meal periods. The scheduling of meal periods may vary depending on department workload. Meal periods are unpaid and usually one hour in length.

In the unlikely event of an emergency or unusual condition, your Department Head may ask you to change or postpone your break in order to finish a particular project.

Excessive Absenteeism or Lateness

In general, five (5) absences in a 90-day period, or a consistent pattern of absence, will be considered excessive, and the reasons for the absences may come under question. Tardiness or leaving early is as detrimental to the City of Houston as an absence. Three (3) such incidents in a 90-day period will be considered a "tardiness pattern" and will carry the same weight as an absence. Other factors, like the degree of lateness, may be considered.

Be aware that excessive absenteeism, lateness or leaving early may lead to disciplinary action, including possible dismissal.

Lunch Period

The time when lunch periods are scheduled varies among departments, depending on the needs of each department but will be no more than one (1) hour. Your Department Head will give you your unpaid lunch period schedule.

Lunch Room Facility

For your convenience and comfort, the City of Houston provides a break room equipped with various vending machines, ample seating, microwave ovens and a refrigerator for employees who want to bring their lunch from home. This area is for everyone's use. It is your responsibility to do your share in keeping this facility clean and sanitary. Please clean up after yourself.

Record of Absence or Lateness

If you are absent because of your own illness for three (3) or more successive days, you will be required to submit written documentation from your doctor. If you are absent five (5) or more days because of your own illness, you will be required to provide written documentation from a doctor that you are able to resume normal work duties before you will be allowed to return to work. You will be responsible for any charges made by your doctor for this documentation. Your Department Head will make a note of any absence or lateness, and the reason, in your confidential personnel file. Your attendance record will be considered when evaluating requests for promotions, transfers, leaves of absence, and approved time off, as well as scheduling layoffs, etc. All recorded absences will be monitored by City Clerk.

The Benefits Package

Eligibility for Benefits

If you are a full-time employee, you will enjoy all of the benefits described in this manual as soon as you meet the eligibility requirements for each particular benefit.

No benefits are available to you during your introductory period, except as otherwise provided by law. One exception to this is health care benefits. City employees are eligible for health care benefits after three months of employment.

Temporary employees are not eligible for benefits.

Current benefits include; but are not, limited to:

- Holidays
- Vacation
- Sick Leave
- Bereavement Leave
- Jury Duty Leave
- Unpaid Leave
- Insurance Coverage
- Retirement Benefits
- Educational and training assistance

Paid Leaves of Absence

With the exception of a holiday, time off for any reason during a working day will count against your allotted sick days or vacation time, as appropriate, in hourly, quarter day, half day or full day increments as requested by the employee. Thereafter, unless specifically exempted, any time off will be without pay.

Holidays

Only full-time employees are eligible for holiday pay.

Employees are not eligible to receive holiday pay during their introductory period. A part-time employee or a temporary employee is not eligible to receive holiday pay.

Recognized Holidays

All regular employees of the City shall receive normal compensation for the nine legal holidays listed below and any other days or part of a day during which the public offices of the City shall be closed by special proclamation of the Mayor with approval of the Board. The following holidays are recognized by the City of Houston as paid holidays:

New Year's Day	January 1st
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	First Monday in September
Veteran's Day	November 11th
Thanksgiving Day	Last Thursday in November
Christmas Day	December 25th

Holiday Policies

The Police Department obviously does not cease operation during these days.

An employee absent without leave on the day preceding and/or the day following a holiday shall not receive regular compensation for the holiday. (If a holiday falls on a Saturday, the Friday before the holiday will be observed. If a holiday falls on a Sunday, the Monday after will be a holiday.)

If an employee is required to perform work or render services on a regular scheduled holiday, he/she shall receive compensation, at the overtime rate, for his/her service on the scheduled holiday.

If a holiday occurs during your scheduled vacation, you are permitted to take an extra day of vacation or be paid for that holiday and not have it count as vacation.

In order to qualify for holiday pay, you must work the scheduled workday immediately before and after the holiday. Only excused absences will be considered exceptions to this policy. You are not eligible to receive holiday pay when you are on a leave of absence.

Religious Holidays

If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may, with the City Administrator's approval, take the day off using vacation, compensatory time, or leave without pay.

Vacations

Amount of Vacation

Only regular full-time employees are eligible for paid vacation. Full-time employees, holding a permanent status position are eligible to accrue vacation for each month of service from the date of hire. However, employees are not eligible to use or be paid for vacation time during their probationary period. The vacation accrual rate is based on your length of employment, as follows:

Each regular full-time employee is entitled to vacation as follows:

<u>Employees hired prior to December 1, 2013</u>			<u>Employees hired after December 1, 2013</u>		
Years of Employment	Vacation Hours Earned p/month	Max Vacation Carry Over Jan 1	Years of Employment	Vacation Hours Earned p/month	Max Vacation Carry Over Jan 1
0-3 years	8 hours	240 hours	0-3 years.....	8 hours.....	240 hours
3-10 years	10 hours	264 hours	3-10 years.....	10 hours.....	264 hours
10-15 years	12 hours	288 hours	10+ years.....	12 hours.....	288 hours
15+ years	14 hours	336 hours			

Vacation Policies

All new employees must generally complete their introductory period to be entitled to the accrual and use of vacation. Each department is responsible for scheduling its employees' vacations without undue disruption of necessary services. Leave requests shall be submitted at least one week prior to taking vacation.

The amount of vacation earned and the maximum number of vacation hours that may be carried over from December 31 of one year to January 1 of the next year is defined in the vacation chart above.

The maximum number of comp hours that maybe carried over from December 31 of one year to January 1 of the next year is 240 hours.

Use of vacation time is mandatory

Other Paid Leaves

Funeral (Bereavement) Leave

You are entitled to take up to three (3) workdays with pay to attend the funeral and take care of personal matters related to the death of an eligible member of your immediate family. Eligible members of your immediate family include wife, husband, mother, father, brother, sister, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparents, grandchildren, stepmother, stepfather, brother-in-law, or sister-in-law. Only regular full-time employees are eligible for paid funeral leave.

With your department head's approval, you may take up to one full day without pay to attend funerals of other relatives and friends. Vacation time may be used in lieu of day without pay.

Pay for a funeral leave will be made for actual time lost from work. If the death occurs at a time when work is not scheduled, payment will not be made. If a holiday or part of your vacation occurs on any of the days of absence, you may not receive holiday or vacation pay in addition to paid funeral leave.

An excused absence for family death may not be retroactive, postponed or split.

Administrative Leave

Administrative leave is a temporary leave from a job assignment, with pay and benefits intact. An employee is placed on administrative leave when an allegation of misconduct is made against an employee, either by a coworker, an alleged victim, or a police officer. During the leave, employers may investigate the situation before determining an appropriate course of action. Administrative leave does not in itself imply that an employee will be disciplined or even that an allegation is credible, which is why pay and benefits are not discontinued. It simply allows the employer to investigate the situation, maintaining the employee's present status while at the same time removing them from the environment, eventually leading to either their return or termination.

Jury Duty

An employee may be granted leave with pay when required to be absent from work for jury duty or as a trial witness. Compensation for such leave shall be limited to the difference between pay received for this service and normal duty pay.

Upon receiving a notice for jury duty, you must provide us with a copy of the notice as soon as possible. You must report for work if you are released from jury duty before the end of our work day or if you are temporarily released from jury duty.

Sick Leave

An employee who is unable to report for work because of sickness, shall report the reason for the absence to their Department Head before the time he/she is expected to report for work. Sick leave with pay shall not be granted unless such report has been timely made.

Sick leave will not be used for purposes to compute overtime. Abuse of the sick leave privilege can result in dismissal. These general guidelines shall be considered administrative rules and regulations and shall be adhered to as closely as possible by all departments with regard to the use and accrual of Sick Leave.

Sick Leave Accrual

All regular full-time employees accrue sick leave benefits at the rate of eight (8) hours for each calendar month of continuous employment and may accrue a maximum of one thousand (1000) hours.

Full-time employees may accrue and use sick leave during their trial period. Part-time and temporary employees do not earn sick leave benefits. Employees do not accrue sick leave benefits during a leave without pay.

Sick leave covers those situations in which an employee is absent from work due to:

- physical injury or illness to the employee
- the need to care for the employee or a dependent family member who is ill
- medical or dental appointments for the employee or dependent children, provided that the employee make a reasonable effort to schedule such appointments at times which have the least interference with the work day
- exposure to a contagious disease where on-the-job presence of the employee would jeopardize the health of others
- use of a prescription drug which impairs job performance or safety
- to receive full city benefits (ie. salary), sick time must be used to make up the difference while on Worker's Compensation.

An employee who is unable to report to work due to an accident, personal illness or physical incapacity shall notify his or her Supervisor within two (2) hours of the time he or she is to report to work. A doctor's certificate may be required when an employee is absent for a period in excess of three (3) business days. The City of Houston may also request the opinion of a second doctor at our expense to determine whether the employee suffers from a chronic physical or mental condition that impairs their ability to perform the job.

Sick leave shall not accrue to any employee while he/she is on leave-of-absence without pay.

Use of Sick Leave

Employees needing to take sick leave should notify their supervisor as far in advance of the starting time as possible but no later than one (1) hour before the normal starting time of the first working day of absence and, if possible, on each succeeding sick day. Failure to do so may result in sick leave not being granted and possible disciplinary action. Police personnel should attempt to give four (4) hours advance notice when possible due to scheduling problems.

In any case where a questionable or unconfirmed use of sick leave by an employee has been taken, the City Administrator may require a written certification executed by a physician that the absence was due to illness. Sick leave taken for three (3) or more consecutive work days may require a medical statement and may require a release from a medical physician authorizing a return to work.

Sick leave may be used for the employee or a dependent family member.

When an insufficient sick leave balance remains to cover the absence of an employee, the remainder shall be charged to accumulated vacation.

An employee terminating from City service shall not be allowed the use of sick leave in the last two (2) calendar weeks of employment.

Sick leave will not be used for purposes to compute overtime.

Abuse of the sick leave privilege can result in dismissal.

Unpaid Leaves of Absence

Occasionally, for medical, personal, or other reasons, you may need to be temporarily released from the duties of your job with the City of Houston, but may not wish to submit your resignation. Under certain circumstances, you may be eligible for an unpaid leave of absence.

There are several types of unpaid leaves which you may be eligible for.

Family/Medical Leave of Absence

In general, a leave of absence is an official authorization to be absent from work without pay for a specified period of time, unless they have unused vacation, compensatory, or sick leave to utilize during the absence from work. Eligible employees may be entitled to job-protected family or medical leaves of absence if they are unable to come to work due to pressing family or medical concerns as described under the following Family/Medical Leave Policy, which shall be administered in accordance with applicable State and Federal laws.

Employees are eligible if they have been actively employed for 12 months, and worked at least 1,250 hours (an average of 25 hours per week) during those 12 months. Under the circumstances set forth below, each eligible employee shall have up to a total of 12 weeks of leave during any one year period.

A family leave shall be granted upon the birth or adoption of a child of the employee, or upon the serious illness of the employee's child, spouse, or parent.

A medical leave shall be granted upon the employee's own serious illness.

Whenever possible, and subject to your health care provider's approval, absences for planned medical treatment should be scheduled so as not to unduly disrupt City operations.

In appropriate circumstances, we may require you to be examined by a City designated physician, at City expense.

In the event of a serious illness to the employee or his/her child, spouse, or parent, creating a need for unforeseeable family or medical leave, the employee should provide the City clerk with notice, as soon as practicable, of any needed time off, and a written doctor's certificate indicating the expected duration and nature of the illness, particularly as it relates to the employee's ability to come to work or the need for that employee's presence at home to care for a seriously ill family member.

Employees shall be required to give 30 days advance notice in the event of a foreseeable medical treatment. To assist us in arranging work assignments during your absence, we ask that you give us prior notice, to the extent possible, of an expected birth or adoption, as well as an indication, to the extent known, of your expected return date. To facilitate your return to work, we also ask that you provide us with two weeks advance notification of your intended return date. Failure to do so may delay your return date.

For purposes of this policy:

- a child is defined as a natural, adopted, or foster child, a stepchild or a legal ward. If the child is over 18 he/she must be unable to care for himself/herself due to a serious illness or disability.
- a parent is defined as the employee's or his/her spouse's natural, adoptive, or foster parent, stepparent, or legal guardian.
- A serious illness is defined as a disabling physical or mental illness, injury, impairment, or condition involving (1) inpatient care in a hospital, nursing home, or hospice; or (2) outpatient care requiring continuing treatment or supervision from a health care professional.

Upon completion of a leave granted under this section, you shall be reinstated to your original position, or an equivalent one.

If you are no longer able to perform your original job, due to your own medical circumstances, we will make every reasonable attempt to accommodate your special needs, as long as this does not cause undue economic stress to the City.

While on a leave of absence provided for under this policy, we will continue your group health insurance benefits under the same terms as provided to other employees, for up to a maximum of 12 weeks leave time during any one year period. If your leave extends beyond 12 weeks, you shall be offered the opportunity to purchase continuing coverage under state and federal COBRA continuation rules.

Other accumulated fringe benefits such as seniority, retirement, service credits, sick pay, vacation pay, etc., shall be preserved at the level earned as of commencement of the leave, but shall not accrue further during any such leave period.

Should you be required by a doctor to extend your leave beyond the period of time described in this policy, you may use sick or vacation leave to supplement your pay. We will seek to return you to a suitable position, but cannot guarantee that one will be available.

Military Caregiver Leave (also known as covered service member leave) to care for an ill or injured service member or veteran who is undergoing medical treatment, recuperation or therapy for serious injury or illness that occurred any time during the five (5) years preceding the date of treatment. Military Caregiver Leave may extend to up to 26 weeks in a single 12-month period for an employee to care for a spouse, son, daughter, parent or next of kin "next of kin is defined as the closest blood relative of the injured or recovering service member or veteran with a serious injury or illness incurred in the line of duty. The company will measure the 12- month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the city and each wishes to take leave to care for a covered injured or ill service member or veteran, the husband and wife may only take a combined total of 26 weeks of leave.

Should you seek a Leave of Absence for reasons other than described above, we will evaluate such a request based on particular circumstances present at that time, including but not limited to your current and anticipated work responsibilities, performance, City needs, etc. The request should be made in writing to your Department Head and the City Administrator or City Clerk prior to leave being granted. The City of Houston reserves the right to refuse such a request at its sole discretion.

Educational Leave of Absence

The City Administrator may authorize special leaves of absences, with or without pay, for any period not to exceed six calendar months in any one calendar year for attendance at a school or university for the purpose of training in subjects relating to the work of the employee and which will benefit the employee and the City service.

The City may share in up to one hundred percent (100%) of any educational expenses incurred, if the course is completed successfully with a grade of B or better. However, the employee must sign an agreement with the City concerning payment of costs. Should the employee terminate employment, for any reason, within three years following the course completion they must reimburse the City of Houston at a pro-rated basis in accordance with their payment agreement.

Election Day

Under Missouri law an employee is entitled to three hours off from work with pay in order to vote, unless the employee has three consecutive hours of nonworking time while the polls are open. The provision applies to any election in which the employee is eligible to vote.

Prior to Election Day, the employee must notify their Department Head that time off is needed. The Department Head has the right to specify the three hours that may be taken off. No employee may be discharged or otherwise

penalized for taking time off to vote.
(MO Rev. Stat. 115.639)

Military Leave of Absence

The City of Houston complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Therefore, military leave of absence will be granted to employees who are absent from work due to service in the United States uniformed services.

Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable. For military leaves in excess of two (2) weeks, employees may use their accumulated personal/sick and/or vacation time for their military leaves of absence. If accumulated time is unavailable, the leave will be unpaid, unless previously approved by the City Administrator.

Subject to certain restrictions permitted by USERRA and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible, continuation of health insurance benefits is available to employees on military leave of absences. Vacation and holiday benefits will be suspended during a military leave of absence, unless previously approved by the City Administrator.

Employees on "active" military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time.

Employees on longer military leave "not to exceed five (5) years" must apply for reinstatement in accordance with USERRA and all applicable state laws. In addition, subject to certain exceptions permitted by USERRA, employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or in the position which the employee was employed on the date of commencement of the service, or in a comparable position, depending upon the length of military service and other factors allowed under USERRA. Such employees will be treated as though they were continuously employed for purposes of determining seniority and benefits based upon length of service.

If you are a full-time employee and are inducted into the U.S. Armed Forces, you will be eligible for re-employment after completing military service, provided:

- You show your orders to your Department Head as soon as you receive them.
- You satisfactorily complete your active duty service.
- You enter the military service directly from your employment with the City of Houston.
- You apply for and are available for re-employment within ninety (90) days after discharge from active duty. If you are returning from up to six (6) months active duty for training, you must apply within a reasonable time, fourteen (14) days, after honorable discharge.

Military Reserves or National Guard Leave of Absence

Employees who serve in U. S. military organizations or state militia groups may take the necessary time off without pay to fulfill this obligation, and will retain all of their legal rights for continued employment under existing laws. These employees may apply accrued personal leave and unused earned vacation time to the leave if they wish; however, they are not obliged to do so. You are expected to notify your Department Head as soon as you are aware of the dates you will be on duty so that arrangements can be made for replacement during this absence.

The City will abide by current State and/or Federal law concerning Military Reserves or National Guard leaves of absent.

Personal Leave

Regular full-time employees are granted eight (8) hours of personal leave per year. Personal leave is not accumulative and is to be taken within the requirements of the department head and the City Administrator.

Insurance Coverage

Group Insurance

The City of Houston is interested in the health and well-being of both you and your family. A comprehensive health and life insurance program is available for you and your family. All full-time employees are eligible for the health insurance after thirty (30) days of employment. All full-time employees are eligible for the group term life insurance after six (6) months of employment. At that time, they may choose to accept the insurance coverage, or not.

The City of Houston provides the following insurance benefits, as defined and limited in the literature provided by the insurance provider(s):

- Health Insurance
- Group Term Life Insurance

If you choose insurance coverage, our insurance company provides a booklet describing your benefits; a copy of this will be given to you when you join the program.

Health Insurance

The City will pay 100 percent of the insurance premiums on the employee. The employee is responsible for their deductible and the co-pay. City will pay over and above the first \$500.00 (which the employee pays). This may be changed by the Board of Aldermen at their discretion. The employee will be responsible for one-hundred percent (100%) of the insurance premiums for any eligible dependents. This premium can be withheld through a payroll deduction.

In the event of your termination of employment with the City of Houston or loss of eligibility to remain covered under our group health insurance program, you and your eligible dependents may have the right to continued coverage under our health insurance program (COBRA) for a limited period of time at your expense.

Life Insurance

If you are a regular full-time employee of the City of Houston, you are covered by our group life insurance. This insurance is payable in the event of your death from any cause, at any time or place, while you are insured. Payment will be made to the beneficiary, as designated by you. You may change your beneficiary whenever you wish by submitting the appropriate documents to the City Clerk. Refer to the literature provided by our current insurance company for details on your life insurance coverage.

Your life insurance will terminate when you cease to be employed as a regular full-time employee eligible for the insurance.

Optional Additional Coverage

Employees may obtain additional insurance coverage for their family by making the appropriate application with the current provider and agreeing to a deduction from their paycheck to pay the additional premium. All premiums for such coverage will be the responsibility of the employee.

Government Required Coverage

Workers' Compensation

The Missouri Workers' Compensation Law is a no-fault insurance plan which is supervised by the state and one hundred percent (100%) paid for by the City of Houston. This law was designed to provide you with benefits for any

injury which you may suffer in connection with your employment. Under the provisions of the law, if you are injured while at work, you are eligible to apply for Workers' Compensation.

All injuries, no matter how slight, must be reported immediately to your Department Head. If your Department Head is not available, the employee must contact the City Clerk to report the injury. You must follow this chain of command to assure consideration under Worker's Compensation Insurance, should complications develop later.

Unreported on-the-job injuries may result in the loss of potential workers' compensation benefits. Employees should contact the City clerk with questions about the workers' compensation insurance program.

The City of Houston and its insurance carrier shall not be responsible for the payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social or athletic activity that is not part of the employee's work-related duties.

In addition, a permanent, full or part-time, employee who is temporarily disabled in the line of duty shall receive pay equal to the difference between the amount received from Workers' Compensation benefits and their normal salary amount for the period of their disability with the use of their sick leave.

Provided that the disability resulted from an injury or illness sustained directly in the performance of the employee's work, as provided by law.

If incapacitated for his/her regular assignment, the employee may be given other duties with the City for the period of recuperation. Unwillingness to accept such an assignment as directed by his/her Department Head will make the employee ineligible for disability leave during the time involved.

A physician selected or approved by the City shall determine the physical ability of the employee to continue working or to return to work.

While on worker's compensation, an employee shall accrue vacation and sick leave.

Unemployment Compensation

The City of Houston provides unemployment insurance protection for its employees.

Social Security & Medicare

The United States Government operates a system of contributory insurance known as Social Security. As a wage earner, you are required by law to contribute a set amount of your weekly wages to the trust fund from which benefits are paid. As your employer, the City of Houston is required to deduct this amount from each paycheck you receive. In addition, the City of Houston matches your contribution dollar for dollar, thereby paying one-half of the cost of your Social Security and Medicare benefits.

Retirement Benefits

Retirement Plan

The City of Houston is a "political subdivision" as defined in Section 70.600 through 70.760, RSMo. and elects to have all its eligible employees, who work at least 1500 hours annually, covered by the Missouri Local Government Employees' Retirement System (LAGERS). Missouri LAGERS is a statewide, non-profit retirement system for local government employees. The program was created and is regulated by the Missouri revised statutes.

Following the employees introductory period of six months, all regular employees will automatically become members of the Missouri LAGERS covered under the benefit program L-6.

The benefits of the Missouri LAGERS plan are available to you in the City Clerk's office. Please contact your Department Head to obtain a copy of this document for you. The details contained within these documents are the only benefits available and any interpretation or questions will be referred to LAGERS for resolution. Information can be obtained from the Missouri LAGERS at PO Box 1665, Jefferson City, MO 65102, (573) 636-9455.

Statement of Employee Retirement Income Security Act (ERISA) Rights

As a participant in the City of Houston Employees' Retirement Plan, you are entitled to examine the plan documents and the annual report and plan description filed with the U.S. Department of Labor. This inspection may be made during normal business hours; ask your Department Head to make arrangements for you with the City Clerk.

Other Benefits

Education/Training (Attending Seminars/Training Sessions)

From time to time, The City of Houston may arrange to have both formal and informal training programs to enable you to progress in your technical knowledge for your position. Several times a year, employees are selected to attend training programs. You will be paid for your time while attending these training programs. All or a portion of the expenses for off-premises training will be paid for by the City, depending on the nature of the course. Check with your Department Head for details.

Other Policies

City Meetings

On occasion, we may request that you attend a City-sponsored meeting. If this is scheduled during your regular working hours, your attendance is required. If you are a non-exempt employee and the meeting is held during your non-working hours and you decide to attend, you will be paid for the time you spend traveling to and from the meeting as well as for time spent at the meeting. (If you are qualified for overtime pay by virtue of working more than 40 hours that work week, then you will receive your overtime rate.)

Dress Code/Personal Appearance

Please understand that you are required to dress and groom yourself in accordance with accepted social and business standards, particularly if your job involves dealing with citizens or visitors in person. The City provides uniforms for each maintenance department and expects them to be worn by all employees.

All electric department employees are required to wear designated uniforms that comply with safety standards, unless they have received prior authorization in writing from their Department Head. In order to demonstrate a professional outward appearance, everyone within the department must be dressed in the same uniform, with the exception of the Department Head or any employee on special assignment with the authorization of their Department Head. This refers to long sleeves, short sleeves, or authorized City of Houston safety hooded sweat shirts and/or t-shirts. In addition, you are not permitted to alter the uniform in any manner. If the uniform is altered or damaged for any reason, other than a work related incident, you will be required to pay for the cost of the altered/damaged garment and subject to disciplinary action.

Personal appearance should be a matter of concern for each employee. If your Department Head feels your attire is out of place, you will be required to leave your workplace until you are properly attired. You will not be paid for the time you are off the job for this purpose. Your Department Head has the sole authorization to determine an appropriate dress code, and anyone who violates this standard will be subject to appropriate disciplinary action.

Safety Equipment and Procedures

When working in the street you are required to wear a yellow City of Houston safety hoodie or t- shirt or a yellow or orange high visibility traffic vest provided by the City. You are also required to place traffic cones and/or barricades around your vehicle(s) and other equipment, including any open ditches or trenches.

When working in a bucket truck or in an elevated position you are required to wear an approved safety harness, properly attached to the truck or other equipment, and hardhat provided by the City. You are never allowed to be in the bucket of a bucket truck when it is moving on the roadway. When working in a ditch deeper than four feet you are required to wear a hard hat provided by the City. In addition, when using any type of power tool you are required to wear safety glasses and ear protection. Any violation of this policy is subject to disciplinary action.

Expense Reimbursement

You must have your Department Head's written authorization (requisition/purchase order, etc.) prior to incurring an expense on behalf of the City of Houston. To be reimbursed for all authorized expenses, you must submit an expense report/voucher accompanied by receipts and approved by your Department Head. Please submit your expense report/voucher each week, as you incur authorized reimbursable expenses.

Travel Expense

Elected officials and employees shall be reimbursed for official travel and related expenses while carrying out official duties or attending conferences and training seminars which will benefit both the employee and the City of Houston. Employees will be reimbursed for reasonable and customary expenses actually incurred in connection with the business travel, including food, lodging, and travel expenses while away.

Requests for reimbursement, including all original receipts, shall be submitted on an expense report form signed by the employee and his/her supervisor. The report, together with the receipts, should promptly be submitted to City Clerk, who will review the expense report, and decide whether payment should be issued.

All efforts shall be made to keep travel expenses to a minimum and reasonable.

The following expenses for approved travel shall be reimbursed according to established allowances or actual cost when accompanied by a completed "Travel Expense Report" (Appendix B Attachment 3) and receipts or other documentation as required and appropriate:

- direct travel including air, bus, and taxi fares
- direct travel by personal vehicle at the established IRS rate per mile or at an amount equal to common carrier fare, whichever is less
- overnight lodging when travel extends beyond one hundred (100) miles from the City of Houston.
- meals and reasonable tips
- other reasonable and related expenses

The following travel expenses are not reimbursable.

- any expenses incurred by a spouse or other person accompanying an employee
- personal expenditures such as valet service, laundry and dry cleaning, movies, and entertainment
- side trips
- traffic tickets or parking fines.

Use of City Vehicle

If you are authorized to use a City vehicle for City business, you must adhere to the following rules:

You must be a licensed driver.

You are responsible for following all the manufacturer's recommended maintenance schedules to maintain valid warranties and for following the manufacturer's recommended oil change schedule.

You are responsible for paying any moving violation tickets. Also, please park appropriately -parking violations will not be paid by the City.

You must keep the vehicle clean at all times, and washed and vacuumed as often as necessary. You will be reimbursed for your reasonable expense of keeping the vehicle clean. Please retain receipt for reimbursement.

City owned vehicles are not allowed out of city limits except on official business. Some exceptions may occur and will require Board of Aldermen approval.

Violations of Policies

You are expected to abide by the policies in this Manual. Failure to do so will lead to appropriate disciplinary action. A written record of all policy violations is maintained in each individual's personnel file.

A partial list of causes for possible disciplinary action ("Unacceptable Activities") is presented under "Standards of Conduct" in the "Employment" section of this Manual. This list is not to be considered all-inclusive.

Grievances

Resolving Problems

Whenever you have a problem or complaint, we expect you to speak up and communicate directly with us. You can take the following steps:

First, talk to your immediate supervisor or department head. Your department head is most familiar with you and your job and is, therefore, in the best position to assist you. Your department head works closely with you and is interested in seeing that you are treated fairly and properly.

If your department head cannot help you resolve the matter, you may speak to the City Administrator, who will give your problem or complaint prompt consideration.

If the City Administrator feels that the situation warrants further review, he/she will ask the Board of Aldermen for assistance.

Remember, it is always best to resolve problems as soon as possible. Little problems tend to turn into big problems; facts become confused; resentment and anger build up. It is always best to get things off your chest before they get out of hand.

Inspection of Packages

The City of Houston reserves the right to inspect all packages or closed containers brought into or taken out of the work area.

Life Threatening Illnesses

The City of Houston recognizes that employees with life-threatening illness, including, but not limited to, cancer, heart disease, and AIDS, may wish to continue to engage in as many of their normal pursuits as their condition allows, including work. These employees must be able to meet acceptable performance standards. Performing normal job functions must not exacerbate their condition. Medical evidence must indicate that their condition is not a threat to other workers.

Department Heads need to be sensitive to the employee's condition and ensure that the employee is treated consistently with other employees. The City seeks to provide a safe work environment for all employees and citizens. Therefore, precautions should be taken to ensure that any employee's condition does not present a health and/or safety threat to other employees or citizens.

When dealing with situations involving employees with life-threatening illnesses, Department Heads should:

Remember that an employee's health condition is personal and confidential, and reasonable precautions should be taken to protect information regarding an employee's health condition.

Contact the City Clerk if you believe that you or other employees need information about terminal illness, or a specific life-threatening illness, possible contagiousness, or if you need further guidance in managing a situation that involves an employee with a life-threatening illness.

Contact the City Clerk to determine if a statement should be obtained from the employee's attending physician that continued presence at work will pose no threat to the employee, co-workers or citizens. The City of Houston reserves the right to require an examination by a medical doctor appointed by the City.

Make reasonable accommodation for employees with a life-threatening illness provided that any accommodations made do not require significant difficulty or expenses.

Make a reasonable attempt to transfer employees with a life-threatening illness who request a transfer and are experiencing undue emotional stress.

Be sensitive and responsive to co-workers' concerns.

Do not give special consideration beyond normal transfer requests for employees who feel threatened by a co-worker's life-threatening illness.

Be sensitive to the fact that continued employment for an employee with a life-threatening illness may sometimes be therapeutically important in the remission or recovery process, or may help to prolong that employee's life.

Personal Phone Calls

You will be responsible for the payment of personal long distance phone calls or faxes. Please keep personal phone calls to a minimum, and they must not interfere with your work. Prior approval from your Department Head is needed. Once a long distance phone call or fax is made, notify the City Clerk of date, time and number for reference in a timely manner.

Employees may carry their personal cell phones at work, however the use of the phones needs to be limited to break times and lunch time. Use of cell phones for texting while operating a City owned vehicle is prohibited. And is Employees in violation of this policy are subject to disciplinary action up to, and including, termination of employment.

Property & Equipment Care

It is your responsibility to understand and be able to competently operate the equipment you need to use to perform your duties. Good care of any equipment that you use during the course of your employment, as well as the conservative use of supplies, will benefit you and the City of Houston. If you find that a machine is not working properly or in any way appears unsafe, please notify your Department Head immediately so that repairs or adjustments may be made. Under no circumstances should you start or operate equipment you deem unsafe, nor should you adjust or modify the safeguards provided.

Restricted Areas

In the interest of safety and security, certain portions of the City of Houston's facilities may be restricted to authorized personnel only. Such areas will be clearly marked.

Return of City Property

Any City of Houston property issued to you, such as keys, credit or gas cards, equipment, tools or uniforms, must be returned to the City of Houston at the time of your dismissal or resignation, or whenever it is requested by your Department Head or a member of management. You are responsible to pay for any lost or damaged items. The value of any property issued and not returned may be deducted from your paycheck, in compliance with the Fair Labor Standards Act and you may be required to sign a wage deduction authorization for this purpose. Final paycheck will be held until all City property is returned to the City.

Security

Maintaining the security of the City of Houston buildings and vehicles is every employee's responsibility. Develop habits that insure security as a matter of course. For example:

Always keep cash properly secured. If you are aware that cash is insecurely stored, immediately inform the person responsible.

Know the location of all alarms and fire extinguishers, and familiarize yourself with the proper procedure for using them, should the need arise.

When you leave the City's premises make sure that all entrances are properly locked and secured.

Department Heads

Your immediate Department Head is the person on the management team who is closest to you and your work. Your day-to-day contact with your Department Head gives you a chance to receive guidance and council regarding your assignments and the progress you make on your job. Your Department Head can show you how your work fits into the overall picture, teach you how to do things, explain the "how's" and "why's," and encourage you when things look a little tough.

Your Department Head is in complete charge of the department. He or she is responsible for the efficient operation of the department. Your Department Head will assign work, recommend pay increases, transfers or promotions, and to maintain order and discipline. This may be accomplished by the Department Head personally or through his or her assistant.

Remember, your Department Head knows most of the answers, and, if not, knows where to get them. Your Department Head probably started in a job much like yours and can guide and help you. Your Department Head wants you to succeed. Please get to know your Department Head, and when you need help or have questions, complaints, problems or suggestions, contact your Department Head first. He or she is interested in your success, the success of every member of your department, and the overall success of the City of Houston.

Your Department Head is human, has many responsibilities, and needs your cooperation, assistance, and loyalty. He or she wants to help you - that's their job - so please ask, and please be willing to meet them half way. If he or she cannot help you or answer your question, your question will be referred to someone who can. You can expect to be treated fairly and with respect. Like the City of Houston, your Department Head has a direct interest in you. He or she wants you to consider him or her as your advisor, friend and mentor. Go to them for information about your job, your pay, or other matters of City policy.

Please don't overburden your department head with questions that can be answered by reading this manual or by checking bulletin boards. Do feel free to ask for clarification of regulations or responsibilities. Any problem that hinders the efficient completion of your responsibilities should be taken up with them.

Appendix A

Alcohol and Substance Abuse Policy

1. Purpose:

The purpose of the policy is to establish procedures for alcohol and drug testing of CDL employees in accordance with 49 CFR Part 40, Federal Motor Carrier Safety Regulations. Further, "to help prevent accidents and injuries resulting from the misuse of alcohol and use of controlled substances of drivers of commercial motor vehicles: as outlined in FMCSR Section 382 and 391 Subpart H, as may be applicable.

2. Applicability:

This policy applies to all City employees who are required to maintain a commercial drivers license (COL), when they are on City property or when performing City-related safety-sensitive or non-safety-sensitive business.

3. Administration:

The City Administrator and City Clerk are the designated employees for questions and management of this policy.

4. Definitions:

Alcohol - The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl and isopropyl alcohol.

Alcohol Concentration - The alcohol in a volume or breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this part.

Alcohol Use - The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

Approved Facility - A place where individuals present themselves for the purpose of providing body fluid or tissue samples to be analyzed for specified controlled substances. The site must possess all necessary personnel, materials, equipment, facilities, and supervision to provide for the collection, security, temporary storage, and transportation or shipment of the samples to a Laboratory Breath Alcohol Technician. A "Breath Alcohol Technician" is defined as "an individual who instructs and assists individuals in the alcohol testing process and operates an EBT (evidential breath testing) device."

CDL- Commercial Drivers License.

CMV- Commercial Motor Vehicle.

Commercial Motor Vehicle - Any self-propelled or towed vehicle used on public highways in interstate commerce to transport passengers or property when:

- The vehicle has a gross vehicle weight rating or gross combination weight rating of twenty-six thousand (26,000) or more pounds; or
- The vehicle is designed to transport more than 15 passengers, including the driver; or
- The vehicle is used in the transportation of hazardous materials in a quantity requiring placards under regulations issued by the Secretary under the Hazardous Materials Transportation Act (49 U.S.C. App. 1801-1813).

Confirmation Test - For alcohol testing means a second test, following a screening test with a result of 0.02 or greater that provides quantitative data of alcohol concentration. For controlled substances testing means a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test

and which uses a different technique and a chemical principle from that of the screen test in order to ensure reliability and accuracy. Gas chromatography/mass spectrometry (GS/MS) is the only authorized confirmation method for cocaine, marijuana, opiates, amphetamines and phencyclidine.

Drivers Subject to Testing- Any employee who is required to have a CDL to operate a commercial motor vehicle, either single or combination, on public right of way, to include, but is not limited to: full-time, part-time, casual, intermittent, or leased drivers for the following departments: Parks and Recreation, Street, Water/Sewer, Electric and Cemetery Departments.

Drug - Any substance, other than alcohol, that is a controlled substance as defined in Section 391, "Controlled Substances: and 49 CPR Part 40.

FMCSR - Federal Motor Carrier Safety Regulations.

Performing Safety-Sensitive Function - Means a CDL employee is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

Refuse to Submit - In an alcohol or controlled substances test, it means that a COL employee (I) fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirements for breath testing in accordance with the provisions of this part. (2) fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing in accordance with the provisions of this part. (3) engages in conduct that clearly obstructs the testing process.

Safety Sensitive Function - Any of those on-duty functions set forth in FMCSR Section 395.2- On Duty time, paragraphs (I) through (7), of this chapter.

Screening Test - (Also known as initial test) In alcohol testing, it means an analytical procedure to determine whether a CDL employee may have a prohibited concentration of alcohol in his or her system. In controlled substance testing, it means an immunoassay screen to eliminate "negative" urine specimens from further consideration.

Substance Abuse Professional - A licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselor Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

5. Policy:

All City of Houston employees shall comply with the United States Department of Transportation Regulations requiring the testing for alcohol and controlled substances, as well as the following prohibitions as outlined in FMCSR 382, Subpart B, to wit:

- 5.1 **Alcohol Concentration** -No CDL employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of .04 or greater. No employer having actual knowledge that a CDL employee has an alcohol concentration of .04 or greater shall permit the CDL employee to perform or continue to perform safety-sensitive functions.
 - 5.1.1 A CDL employee found to have an alcohol concentration of .02 or greater, but less than .04 shall be relieved from performing safety-sensitive functions for a minimum of 24 hours.
- 5.2 **Alcohol Possession** - No CDL employee shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. No

CDL employer having actual knowledge that a CDL employee possesses non-manifested alcohol may permit the employer to drive or continue to drive a commercial motor vehicle.

5.3 On-Duty Use - No CDL employee shall use alcohol while performing safety-sensitive functions. No employer having actual knowledge that a CDL employee is using alcohol while performing safety-sensitive functions shall permit the CDL employee to perform or continue to perform safety-sensitive functions.

5.4 Pre-Duty Use - No CDL employee shall perform safety-sensitive functions within four hours after using alcohol. No employer having actual knowledge that a CDL employee has used alcohol within four hours shall permit a CDL employee to perform or continue to perform safety-sensitive functions.

5.5 Use Following an Accident - No driver required to take a post-accident alcohol test under Section 382.303 of this part shall use alcohol for eight hours following the accident, or until he or she undergoes a post-accident alcohol test, whichever occurs first.

5.6 Refusal to submit to a Required Alcohol/Controlled Substance Test - No CDL employee shall refuse to submit to a post-accident alcohol or controlled substances test required under 382.303, a random alcohol or controlled substances test required under 382.305, a reasonable suspicion alcohol or controlled substances test required under 382.307, or follow-up alcohol or controlled substances test required under 382.311. No employer shall permit a CDL employee who refuses to submit to such tests to perform or continue to perform safety-sensitive functions.

5.7 Controlled Substances Use -

5.7.1 No CDL employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the CDL employee uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the CDL employee that the substance does not adversely affect the CDL employee's ability to safely operate a commercial motor vehicle.

5.7.2 No employer having actual knowledge that a CDL employee has used a controlled substance shall permit the CDL employee to perform or continue to perform a safety-sensitive function.

5.7.3 An employer may require a CDL employee to inform the employer of any therapeutic drug use.

5.8 Controlled Substances Testing - No CDL employee shall report for duty, remain on duty or perform a safety-sensitive function, if the CDL employee tests positive for controlled substances. No employer having actual knowledge that a CDL employee has tested positive for controlled substances shall permit the CDL employee to perform safety-sensitive functions.

5.8.1 Controlled substances tested for are:

- Marijuana
- Cocaine
- Opiates
- Amphetamines
- Phencyclidine

5.9 Tests Are Required Under The Following Conditions:

5.9.1 Pre-Employment

Prior to offering a CDL position to an applicant, the applicant will be subject to controlled substance screening as part of the pre-employment physical. Prior to collecting samples, the City will notify the applicant that the samples will be tested for alcohol and for the presence of controlled substances. If the applicant refuses to submit to such a screening, or has an alcohol test

result of .04 or higher, or tests positive for controlled substances, D.O.T. regulations deem the applicant medically unqualified, and the City shall refuse to hire the applicant.

5.9.2 Reasonable Suspicion

5.9.2.1 When there is reasonable suspicion to suspect a CDL employee has reported to work or is working impaired, the driver shall be subject to alcohol and/or controlled substance screening. Reasonable suspicion means that trained City personnel believes the actions, appearance, or conduct of the CDL employee are indicative of the use of a controlled substance. D.O.T. regulations require drivers to submit to this test when requested to do so. Refusal to submit to such screening will be considered as a positive test result, for which discipline, up to and including immediate discharge, may be imposed.

5.9.2.2 Reasonable suspicion testing will be required only when such observations are made while the CDL employee is performing safety-sensitive functions, just before the CDL employee is to perform safety-sensitive functions or just after the CDL employee has ceased performing such functions. Observations must be made by trained personnel as defined in FMCSR 382 (Observed Behavior Reasonable Suspicion Record- Attachment #1).

5.9.2.3 The trained person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not conduct such test.

5.9.2.4 Tests under this provision will be accomplished immediately, or as soon as can be arranged by the City.

5.9.3 Post Accident Testing

5.9.3.1 Section 390.5 Definition of "*reportable accident*" means an occurrence involving a motor vehicle engaged in the interstate, foreign, or intrastate operations of a motor carrier who is subject to the Department of Transportation Act resulting in:

1. The death of a human being; or
2. Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
3. One or more motor vehicles incurring disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

5.9.3.2 Any driver who receives a moving violation 382.303 (a) (2)

5.9.3.2.1 The CDL employee shall provide a breath sample for alcohol testing immediately after an accident, and every effort must be made to provide the sample, no later than two (2) hours following said accident. Should the 2 hour time limit not be met the driver will still be required to provide a sample up to 8 hours after the accident. However, any test after 2 hours will require that written documentation be provided to the Mayor outlining why such test was not taken within the 2 hours provided.

5.9.3.2.2 The CDL employee shall provide a urine sample to be tested for the use of controlled substances as soon as possible after the accident but not later than 2 hours following the accident. Should the 2-hour time limit not be met the CDL employee will still be required to provide a sample up to 32 hours after the accident. However, any test after 2 hours will

require that written documentation be provided to the Mayor outlining why such test was not taken within the 2 hours provided.

5.9.3.2.3 A CDL employee who is subject to post-accident testing shall remain readily available for such testing or will be deemed to have refused to submit to testing.

5.9.3.3 Disqualification for Use of Controlled Substances

5.9.3.3.1 A CDL employee shall be disqualified from driving a commercial motor vehicle following a refusal to give an alcohol or a urine sample when the CDL employee has been involved in a D.O.T. Reportable Accident.

5.9.3.3.2 A CDL employee shall be disqualified for an alcohol test of .04 or greater, or for a positive test of controlled substance use when the CDL employee has been involved in a D.O.T. reportable accident.

5.9.3.3.3 Any CDL employee who is disqualified as outlined above will be terminated.

5.9.3.4 Testing Procedures

5.9.3.4.1 Within 2 hours following an accident, the CDL employee shall ensure that a specimen or sample is provided to an approved medical facility, for alcohol or controlled substances testing, as may be required, or an approved B.A.T. for alcohol testing.

5.9.3.4.2 When the involved driver cannot meet the 2 hour alcohol or controlled substance time factor, at the City's approved facility, he or she will be directed to the nearest approved NIDA testing facility.

5.9.3.4.3 Should the 2 hour time limit not be met the CDL employee will still be required to provide a sample up to 8 hours for alcohol and 32 hours for drug after the accident. However, any test after 2 hours will require that written documentation be provided to the Mayor outlining why such test was not taken within the 2 hours allowed.

5.9.4 Random Testing

5.9.4.1 Effective the date of this policy, 50 percent of our pool of CDL employees will be drawn annually for drug testing and 10 percent for alcohol testing, for which testing is required under subpart 382.305 Federal D.O.T. Regulations.

5.9.4.2 The City of Houston shall use a random selection process to select and request CDL employees to be tested for the use of alcohol and controlled substances. ESS (Employee Screening Services) will administer such random selection processes.

5.9.4.3 The CDL employee shall submit to controlled substance testing when selected by the random selection process used by the City of Houston.

5.9.4.3.1 ESS will notify the Mayor of the randomly selected names who in turn will notify the appropriate supervisors.

5.9.4.3.2 Upon notification the individual must proceed to the testing site immediately.

5.9.4.3.3 Notification will be in person or by telephone. The first confirmed notification would toll the beginning of the compliance period.

5.9.4.3.4 Unless prior approval has been granted, failure to proceed immediately to the testing site will result in suspension pending further review.

5.9.5 Return to Duty Testing

5.9.5.1 Before a CDL employee returns to duty requiring the performance of a safety-sensitive function, after engaging in conduct prohibited by this policy, for alcohol or controlled substances, the CDL employee shall undergo a return-to-duty alcohol test, with a result of less than .02, or a negative controlled substance test, as may be appropriate.

5.9.6 Follow-up Testing

5.9.6.1 After a CDL employee has made it known that he or she has an alcohol misuse or a controlled substances abuse problem he or she will be referred to a substance abuse professional. Prior to returning to work, such employee must submit to a return-to-duty testing, must be released by the substance abuse professional, and is subject to unannounced follow-up alcohol and/or controlled substances testing as directed by a substance abuse professional.

5.9.6.1.1 Random alcohol or controlled substance testing is required to be done a minimum of 6 times during the first year after return to duty and may continue for up to 60 months.

5.9.6.2 Follow-up alcohol tests will be conducted only before, during or after the individual is performing safety-sensitive functions.

6. Procedure:

6.1 DOT/Safety Specialist will schedule or coordinate an appointment for the individual to be tested at the approved medical facility for drug testing or coordinate the testing for alcohol.

6.2 The approved medical facility will follow procedures assuring the chain of custody is not broken for drug testing and will forward the collected sample(s) to the approved testing facilities for testing results.

6.3 All test results will be forwarded to the Mayor. The results are confidential. If a positive test is received the substance will be made known.

6.4 A record of the individual controlled substance test results will be retained in the CDL employee qualification file.

6.4.1 Negative results for controlled substances and alcohol test of less than .02 will remain in the file for 12 months.

6.4.2 Positive results for controlled substances and alcohol tests of .02 or greater will remain in the file for 5 years.

6.4.3 An annual (calendar year) summary of the records related to the administration and results of the alcohol controlled substance testing program 382.403 will be compiled and maintained each year, and thereafter, retained for 5 years by the City of Houston.

6.5 Individuals, who disclose, prior to a requirement to be tested, that they have an alcohol or a chemical abuse problem, will be referred to the Mayor.

7. General:

- 7.1 Refusal to submit to testing as outlined in Sections 5.9.2, 5.9.3, 5.9.4, or 5.9.6 or an alcohol test of .02 or greater or a positive controlled substance test will result in termination of employment as provided in 6.5.
- 7.2 Any CDL employee who is required to be tested under Section V.9.B or who admits to a chemical abuse problem will not be available for work until test results have been obtained or until receipt of a doctor's release for those with an admitted problem.
- 7.3 A CDL employee who is required to be tested under Section V.9.B (reasonable suspicion) will not have the approval of the City of Salem to leave City property by operating his or her personal vehicle. In such instances the City will provide such individual transportation to his or her place of residence.
- 7.4 Before performing an alcohol or drug test, the City must notify the CDL employee (or applicant) that the test is required under federal regulations.
- 7.5 The City will provide any CDL employee who is relieved from performing a safety- sensitive function, whether retained or terminated, a listing of the name, addresses and telephone number of substance abuse professionals and counseling/treatment centers.
- 7.6 Any CDL employee, who becomes abusive, uses abusive language, or who conducts themselves in a manner that clearly obstructs the process of collection, shall be immediately placed on non-paid suspension pending further review of management. Such actions may result in discipline up to and including termination.
- 7.7 Violation of Section 5.1 through 5.8, or the possession of alcohol or a controlled substance, while performing a safety-sensitive function, unless legally manifested, will result in termination of employment, except as noted in Section 5.1.2.

7.7.1 Violation of 5.1.2 will result in the following:

<u>Offense</u>	<u>Discipline</u>
First	Final Warning
Second	Termination

- 7.8 Any report from a quality-testing lab of a sample being adulterated will be treated as a positive test result.
- 7.9 If an employee is required to have reasonable suspicion testing, he or she will be escorted to an approved medical facility by management.
- 7.10 Any employee who is found to have a negative drug test or an alcohol test result reading of less than .02 on reasonable suspicion tests will be reimbursed for the hours missed should they have worked.

8. Exceptions:

- 8.1 Only as approved by the City Administrator, but only if such modification remains within compliance with any applicable laws or regulations.

Appendix B

Forms

1. Purpose:

The purpose of this appendix is to identify the forms used by City of Houston employees.

2. Applicability:

These forms apply to all City employees.

3. Administration:

All forms will be maintained and administered by the City Clerk and the Administration Department.

4. Available forms:

An example of the required forms are included as the following attachments in the back of this manual:

<i>Employee Counseling Form</i>	Attachment (1)
Form WH-380-E, <i>Certification of Health Care Provider (FMLA)</i>	Attachment (2)
<i>Travel Expense Report, City of Houston Form</i>	Attachment (3)
<i>Leave Request, City of Houston Form</i>	Attachment (4)
<i>Receipt and Acknowledgement Form (Shows receipt of the City of Houston Employee Manual)</i>	Attachment (5)