



City Council

Monday, March 10, 2025 - 6:30 PM

Regular Council Meeting
210 S. Walnut Street
Venus, Texas 76084

AGENDA

1. Call to Order, Roll Call, Invocation, Pledge of Allegiance, Pledge to Texas Flag:

2. Announcements from Mayor:

Cell phones are to be placed on vibrate/silent only. No conversation or comment from the audience is permitted unless specifically called upon by the Mayor. Please remain respectfully quiet.

3. Citizen Public Comment Period:

Thank you for your participation in tonight's Public Comments Session. This segment is a crucial component of our local government meetings, where each speaker is allotted 5 minutes. While the City Council and I consider all input, the Texas Open Meetings Act mandates that this be a time for us to listen rather than engage in dialogue. Rest assured, our City Administrator and City Secretary are diligently recording notes should any actions be necessary. When you are ready, you may begin, and your time will start.

4. Consent Agenda:

All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately. Otherwise, approval of the consent agenda authorizes the City Administrator to implement each item in accordance with staff's recommendation.

4.1. Approval of meeting minutes for regular meeting on February 10, 2025.

4.2. Approval of Resolution for Rifle-Resistant Body Armor Grant - FY 2026.

4.3. Approval of Certification of Unopposed Candidates for the May 3, 2025 General Election.

4.4. Approval of an Ordinance declaring the unopposed candidates for the City Council Place 1, City Council Place 2, and the Mayor, as elected, and cancelling the May 3, 2025 General Election.

4.5. Approval of a Resolution amending City Council Policies and Procedures.

4.6. Approval of a comprehensive update to the City's Human Resource Personnel Policy.

5. Presentation and Proclamations:

6. Public Hearings and Action Items:

7. Discussion and Consideration Items:

- 7.1. Discuss and consider the appointment of a new board member to Place 3 of the Venus Community Services Development Corporation.

8. Executive Session:

IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ. THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING: Section 551.071- Consultation with Attorney

- 8.1. Discussion regarding a resolution authorizing the use of eminent domain to condemn property rights in fee simple for land owned by the City of approximately 104.95 acres (4,571,447.76 sq. ft.) and generally located at 920 CR 110 and authorizing the initiation and filing of eminent domain proceedings for the public purpose of construction of a water tower and determining the necessity, public purpose, and public of same, as well as for any other public purposes permitted by law.

9. Items for Future Agendas:

10. Adjournment:

The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, pursuant to authorization by the Texas Open Meetings Act TEXAS GOVERNMENT CODE, Chapter 551.071 (Private consultation with attorney for the city), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).

This is to certify that a copy of this Notice of Meeting was posted on the bulletin board at City Hall, 700 W. Hwy 67 Venus, Texas and at a place readily accessible to the general public at all times and to the City's website www.cityofvenus.org, on Thursday March 6, 2025 before 5:30 P.M.

Callie Green, TRMC

City Secretary

For more information or a copy of the Open Meetings Act, please contact the Attorney General of Texas at 1-800-252-8011. This building is wheelchair accessible. Any requests for Interpretive Services must be made 48 hours in advance of the scheduled meeting. To make arrangements please call 972-366-3348.

Removed: _____

Time: _____

CITY COUNCIL
MEETING MINUTES
Regular Council Meeting
FEBRUARY 10, 2025

1. Call to Order, Roll Call, Invocation, Pledge of Allegiance, Pledge to Texas Flag:

Mayor Galaviz called the meeting to order at 06:30 PM, City Attorney Halla gave the Invocation, and all lead the Pledge of Allegiance and Pledge to the Texas Flag. Councilmembers present: Alejandro Galaviz, Tony Bovinich, Sheryl Kiser, Michelle Hamm and Drew Wilson. Teresa Hoffman was absent.

Staff present: Josh Jones, City Attorney, Callie Green, Melissa Westen, Chief Groom, Chief Allen, Kyle Sugg, Becky Wilkins and Oscar Ortiz.

2. Announcements from Mayor:

Cell phones are to be placed on vibrate/silent only. No conversation or comment from the audience is permitted unless specifically called upon by the Mayor.

Please remain respectfully quiet.

Also, Councilwomen Hoffman is not in attendance with us tonight due to the birth of her second grandbaby.

3. Citizen Public Comment Period:

Thank you for your participation in tonight's Public Comments Session. This segment is a crucial component of our local government meetings, where each speaker is allotted 4 minutes. While the City Council and I consider all input, the Texas Open Meetings Act mandates that this be a time for us to listen rather than engage in dialogue. Rest assured, our City Administrator and City Secretary are diligently recording notes should any actions be necessary. When you are ready, you may begin, and your time will start.

No public comments.

4. Consent Agenda:

All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately. Otherwise, approval of the consent agenda authorizes the City Administrator to implement each item in accordance with staff's recommendation.

4.1. Approval of meeting minutes for regular called meeting on January 13, 2025.

4.2. Ratifying bills and monthly financial report for the month of December 2024.

4.3. Fire Marshal's 2024 Racial Profiling Report

4.4. Approval of Interlocal Agreement with Ellis County for rehabilitation to East County Road 109.

I make a motion to remove item 4.4 from consent agenda to discussion.

Moved by: Tony Bovinich

Seconded by: Sheryl Kiser

For: Unanimous. Motion Carried 4-0-0.

I make a motion to approve item 4.4.

Moved by: Tony Bovinich

Seconded by: Drew Wilson

For: Unanimous. Motion Carried 4-0-0.

4.5. A Resolution adding TexSTAR Investment Pool as an Authorized Investment and approval of application in the TexSTAR program.

4.6. Venus Police Department 2024 Racial Profiling Report

4.7. Approval of Agreement for Tax Increment Reinvestment Zone Administration Services.

4.8. Quarterly Investment Report

4.9. Consider an Ordinance authorizing the release from the City of Venus' Extra Territorial Jurisdiction of the property addressed as 744 W U. S. Highway 67 (Lot 1 & Lot 2, Block 1, the Adel Addition), which consists of an approximately 4.252 acre tract of land, known as property ID 126.4401.00010, and ordering the changing of the City of Venus' Extra Territorial Jurisdiction boundary map in accordance with said change.

4.10. Consider an Ordinance authorizing the release from the City of Venus' Extra Territorial Jurisdiction of the property addressed as 2079 C. R. 214, which consists of an approximately 11.90 acre tract of land, known as property ID 126.0134.00085, and ordering the changing of the City of Venus' Extra Territorial Jurisdiction boundary map.

I make a motion to approve the consent agenda.

Moved by: Tony Bovinich

Seconded by: Drew Wilson

For: Unanimous. Motion Carried 4-0-0.

5. Presentation and Proclamations:

None.

6. Public Hearings and Action Items:

None.

7. Discussion and Consideration Items:

7.1. Discuss and Consider an Amendment to the Exclusive Franchise Agreement with Frontier Waste Solutions for the Collection, Hauling, Recycling and Disposal of Municipal Solid Waste, Construction and Demolition Waste, and Recyclable Materials in the City of Venus, TX.
I make a motion to an amendment to the Exclusive Franchise Agreement with Frontier Waste Solutions.
Moved by: Drew Wilson
Seconded by: Tony Bovinich
For: Unanimous. Motion Carried 4-0-0.

8. Executive Session:

IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ. THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING: Sec. 551.071- Private Consultation with City Attorney

8.1. Discussion regarding a resolution authorizing the use of eminent domain to condemn property rights in fee simple for land owned by the City of approximately 104.95 acres (4,571,447.76 sq. ft.) and generally located at 920 CR 110, and authorizing the initiation and filing of eminent domain proceedings for the public purpose of construction of a water tower and determining the necessity, public purpose, and public of same, as well as for any other public purposes permitted by law.
Recess into Executive Session at 6:46 P.M.
Reconvene into Open Session at 7:39 P.M.
No action taken.

9. Items for Future Agendas:

None.

10. Adjournment:

Mayor Galaviz adjourned the meeting at 07:39 PM.

Mayor

City Secretary

ITEM REPORT

To: City Council
From: James Groom, Chief of Police
Subject: Approval of Resolution for Rifle-Resistant Body Armor Grant - FY 2026.
Department/Office: Police Department

Summary:

This item contains a resolution agreeing to participate in the Office of the Governor's Fiscal Year 2026 Rifle-Resistant Body Armor grant which provides each officer a bullet proof vest combined with armor plates, the vest carrier, and the pouches for the vest with a 0% match required from the City. The Venus Police Department has applied for and been awarded this grant for several years which has allowed us to equip our officers with the necessary protection at no cost to our tax payers. The total amount requested for this fiscal year is \$14,992.31 to cover five vests to account for turnover, potential growth, and any refits for current officers.

Recommended Action:

Approve item as presented.

Budget:

This grant is covered by the State of Texas 100% and does not impact the city's budget.

Attachments:

1. Resolution Rifle Resistant Body Armor FY 2026



RESOLUTION _____

WHEREAS, the City Council and Mayor of the City of Venus finds it in the best interest of the citizens of Venus, that the Venus Police Department Rifle-Resistant Body Armor Grant be operated for the 2026 Fiscal Year; and

WHEREAS, the City Council and Mayor of the City of Venus agrees to provide applicable matching funds for the said project as required by Public Safety Office Rifle-Resistant Body Armor Grant application; and

WHEREAS, the City Council and Mayor of the City of Venus agrees that in the event of loss or misuse of the Office of the Governor funds, the City Council and Mayor of the City of Venus, assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, the City Council and Mayor of the City of Venus, designates Joshua Jones, City Administrator, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the City Council and Mayor of the City of Venus approves submission of the grant application for the Rifle-Resistant Body Armor Grant to the Office of the Governor.

Grant Number: 5481201 Rifle-Resistant Body Armor Grant FY2026

Passed and Approved this _____ day of _____ 2025.

CITY OF VENUS

Alejandro Galaviz, Mayor

ATTEST:

Callie Green, City Secretary

ITEM REPORT

To: City Council
From: Callie Green, City Secretary
Subject: Approval of Certification of Unopposed Candidates for the May 3, 2025 General Election.
Department/Office: City Secretary

Summary:

This Certification of Unopposed Candidates is to notify the governing body that the incumbents are unopposed for the May 3, 2025 General Election.

Recommended Action:

Recommend approval.

Budget:

No impact to budget.

Attachments:

1. CERTIFICATION OF UNOPPOSED CANDIDATES

**CERTIFICATION OF UNOPPOSED CANDIDATES
FOR OTHER POLITICAL SUBDIVISIONS (NOT COUNTY)
CERTIFICACIÓN DE CANDIDATOS ÚNICOS
PARA OTRAS SUBDIVISIONES POLITICAS (NO EL CONDADO)**

To: Presiding Officer of Governing Body-Mayor Alejandro Galaviz, City of Venus

Al: Presidente de la entidad gobernante -Alcalde Alejandro Galaviz, Ciudad de Venus

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 3, 2025.

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 3 de mayo 2025.

List offices and names of candidates:

Lista de cargos y nombres de los candidatos:

Candidate(s) *Candidato(s)*

Office(s) *Cardo(s)*

Alejandro Galaviz

Mayor (*Alcalde*)

Teresa Hoffman

Councilmember, Place 1 (*Concejal, lugar 1*)

Antone "Tony" Bovinich

Councilmember, Place 2 (*Concejal, Lugar 2*)

Signature(*Firma*)

Callie Green

Printed name (*Nombre en letra de molde*)

City Secretary

Title (*Puesto*)

February 19, 2025

Date of signing (*Fecha de firma*)

ITEM REPORT

To: City Council
From: Callie Green, City Secretary
Subject: Approval of an Ordinance declaring the unopposed candidates for the City Council Place 1, City Council Place 2, and the Mayor, as elected, and cancelling the May 3, 2025 General Election.
Department/Office: City Secretary

Summary:

According to Election Code 2.053(a) to cancel an election it must be done by order or Ordinance of the Governing Body.

Recommended Action:

Recommend approval.

Budget:

Cancelling the May 2025 Election will save the general fund budget by approximately \$9000,00.

Attachments:

1. Ord Cancelling the general election May 3 2025

**CITY OF VENUS
ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VENUS, TEXAS, DECLARING THE UNOPPOSED CANDIDATES FOR THE CITY COUNCIL PLACE 1, CITY COUNCIL PLACE 2, AND THE MAYOR, AS ELECTED; CANCELLING THE MAY 3, 2025, GENERAL ELECTION AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS ADOPTED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Venus, Texas, ordered on January 10, 2025, that a municipal General Election be held on May 3, 2025, for the purpose of electing City Councilmembers to Place 1, Place 2 and electing the Mayor; and

WHEREAS, pursuant to Sections 143.007 and 146.054, Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the City's General Elections has expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election Code, has prepared Certifications of Unopposed Candidates for the Venus City Council stating that the following candidates are unopposed for election to offices for the election scheduled to be held on May 3, 2025, and are therefore elected to the following offices:

**Teresa Hoffman, to the office of City Council Place 1
Antone "Tony" Bovinich, to the office of City Council Place 2
Alejandro Galaviz, to the office of Mayor; and**

WHEREAS, the City Council has received and accepted the Certifications of Unopposed Candidates from the City Secretary.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF VENUS, TEXAS;

SECTION 1. That the facts and matters set forth in the preamble and recitals of this Ordinance are hereby found to be true and correct.

SECTION 2. In accordance with Section 2.053(a), Texas Election Code, the above listed unopposed candidates are hereby declared duly elected to the respective offices shown and shall be issued a certificate of election following the time the election would have been canvassed.

SECTION 3. Pursuant to Section 2.053(b), Texas Election Code, the General Election heretofore called and ordered by the City Council for May 3, 2025, shall not be held and is cancelled.

SECTION 4. The City Secretary is hereby directed for a copy of this Order of Cancellation to be posted on Election Day, same being May 3, 2025, at the polling places that would have been used in such Election.

SECTION 5. Should any section, paragraph, sentence, clause, phrase of work of this Ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and to this end the provisions of the Ordinance are declared to be severable.

SECTION 6. It is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by Section 551.001 et. Seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

PASSED AND APPROVED at a regular meeting of the City Council of Venus, Texas, on this 10th day of March 2025.

APPROVED:

Alejandro Galaviz, Mayor

ATTEST:

Callie Green, City Secretary

ITEM REPORT

To: City Council
From: Callie Green, City Secretary
Subject: Approval of a Resolution amending City Council Policies and Procedures.
Department/Office: City Secretary

Summary:

This amendment to the City Council Policies and Procedures is to change the public speaking time limit from four (4) minutes to five (5) minutes on page 8. Also, to change language from Community by Diligent to Civic Clerk on page 11. These are the only two changes to the Policy.

Recommended Action:

TO approve the consent agenda.

Budget:

No impact to budget.

Attachments:

1. 2025 Policies Procedures- most recent-USE

RESOLUTION NO. 04-2025-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VENUS, TEXAS, ADOPTING EQUITABLE AND UNIFORM PROCEDURES FOR ETIQUETTE OF CITY COUNCIL MEETINGS AND TO ASSIST IN THE ORDERLY CONDUCT OF THE CITY'S BUSINESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Venus finds it is in the best interests for the City of Venus to conduct City business in a professional, orderly and proficient manner; and

WHEREAS, the City Council for the City of Venus has determined that conducting City business in such a manner is conducive to good government and is in the best interests of the City of Venus;

WHEREAS, the City Council desires to provide that the City Council's meeting procedures will be consistent with the Texas Opening Meetings Act (Texas Government Code §551); and

WHEREAS, the City Council of the City of Venus finds it in the public interest to adopt the foregoing Resolution which establishes general policies and procedures to conduct the City's business in an orderly and efficient manner.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENUS, TEXAS, THAT:

SECTION 1. The Mayor is hereby authorized and directed to sign and execute this Resolution on behalf of the City Council for the City of Venus, Texas.

SECTION 2. The policies and procedures attached hereto as Exhibit "A" are adopted and made a part of this Resolution hereof for all purposes as if fully recited herein.

SECTION 3. Any Resolution in conflict with the provisions of this Resolution is hereby repealed to the extent it conflicts with this Resolution.

SECTION 4. This Resolution shall become effective immediately from and after its passage.

SECTION 5. All recitals are adopted herein as if fully recited and incorporated for all purposes.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VENUS ON THIS the 10th DAY OF MARCH, 2025.

ATTEST:

APPROVED:

Callie Green, City Secretary

Alejandro Galaviz, Mayor



City of Venus

City Council Policies and Procedure

**RESOLUTION NO. 04-2025-03
March 10, 2025**



City Council Policies and Procedures

ARTICLE 1.0 RULES OF PROCEDURE

1.1 Authority

A. Adoption of Rules

These rules may be amended or suspended in the manner described in this document.

1.2 General Procedure

A. Meetings to be Public

1. All meetings of the city council shall be open to the public unless pertaining to matters authorized under the Texas Open Meetings Act to be discussed in executive session. All actions of the city council shall be public and sufficient copies of the minutes shall be made available by the city secretary to staff members, the news media, and other interested persons upon request.
2. When meeting in executive session, the city council shall publicly announce the category under the Texas Open Meetings Act that permits the executive session and comply with all requirements of the Texas Open Meetings Act applicable to executive sessions.
3. A printed agenda of items to be considered at each regular meeting must be posted for public inspection at least 72 hours prior to the meeting.



City Council Policies and Procedures

B. Quorum

At the beginning of each regular or special meeting, the mayor shall determine whether or not a quorum exists in order to properly transact the business of the city council. A quorum exists when there are physically present a simple majority of the number of city council members. If a quorum does not exist 15 minutes after the time for which the meeting was called, the mayor shall adjourn the meeting and either re-schedule the meeting at its next regular time or call a special meeting, depending on the circumstances.

C. Minutes of Meetings

1. The city secretary shall record and produce written minutes of all regular and special called council meetings and shall have these minutes posted on the city's website following approval by the city council. Following approval of the written minutes, the city secretary will keep the digitally formatted minutes for regular and special called meetings for the period of time designated in the city's records retention schedule.



City Council Policies and Procedures

2. The public may obtain hard copies of written or recorded minutes through an open records request, such to be made during regular business hours. In the event the city secretary is unable to attend a meeting, the city administrator shall designate a representative to take minutes/record the proceedings.

D. Suspension of Rules

Any provision of these rules not governed by the city Ordinance, policy, or state or federal law may be temporarily suspended by a majority vote by members of the city council.

E. Amendment of Rules

These rules may be amended, or new rules adopted, by a simple majority vote of the city council and are not in conflict with state or federal law or the ordinances of the City of Venus.

F. Attendance of Officers and Employees

Other officers and employees of the city shall attend city council meetings when requested to do so by the city administrator or mayor.

1.3 Types of Meetings

a. Regular Meetings

The city council shall hold regular meetings on the 2nd and 4th Mondays of each month, unless it falls on a Holiday, the council can choose to have a special called or resume normal schedule the next month. Meetings are at 6:30 p.m.; and may hold as many additional meetings during the month as may be necessary for the transaction of the business of the city and its citizens.

b. Special Meetings

1. Special meetings may be called by the mayor, the mayor pro tem (when acting in place of the mayor), or by any two members of the city council. The call for a special meeting must specify the day and time of such meeting, as well as the items to be considered.



City Council Policies and Procedures

2. The call for a special meeting must be filed with the city secretary, in written form, signed by the mayor, mayor pro tem (in the absence of the mayor), or two city council members at least four days prior to the special meeting. In case of a call for a special meeting, the purpose of such meeting will be expressed in the notice.
3. The call for emergency meeting must be posted two (2) hours before the emergency meeting. Emergency meetings exist only if immediate action is required of a governmental body because of imminent threat to public health and safety or because of a reasonably unforeseen situation.
4. The call for a special city council meeting as provided for above made at a regular meeting, at which a quorum of members of the city council are present, is sufficient notice of such meeting. If any member of the city council is absent from any regular meeting when such special meeting is called, that member must be given either written or telephone notice through a reasonable effort by the city secretary. It is the responsibility of each city council member to notify the city secretary of an address or telephone number where the notification can be made.

c. Executive Session

The city council may meet in executive session at the call of the mayor, mayor pro tem (when acting in place of the mayor), or any two members of the city council, or at any city council meeting where the city council seeks legal advice in accordance Section 551.071 of the Texas Government Code. At such meeting, the city council may consider those matters allowed under state law.

d. Joint Sessions

The city council may meet with other boards and Commissions in joint sessions at the call of the mayor, mayor pro tem (when acting in place of the mayor), or any two members of the city council at such times as the business of the city requires.

e. Recessed Meetings

Any meeting of the city council may be recessed to a later time by a majority vote of the city council, provided that no recess may be for period in excess of 24 hours. All recessed meetings must set a time to reconvene.



City Council Policies and Procedures

f. Work Session

The city council may hold work sessions to receive briefings and background information from city staff and consultants. Work session meetings must be at a time and place established by city council. Work sessions must be held in compliance with all provisions of the Texas Open Meetings Act. No official action may be taken by city council in a work session meeting, although city council may give direction to staff on issues under consideration.

1.4 Conducting a Meeting

a. Presiding Officer

1. The mayor shall preside over all city council meetings.
2. The mayor pro tem shall be selected from among the members of the city council at the first regular meeting following the general election at which all council places have been filled. The mayor pro tem serves for a term of one year. The mayor pro tem shall perform all duties of the mayor in his/her absence.
3. In the absence of both the mayor and mayor pro tem, the city secretary shall call the meeting to order and shall call upon the city council to select a member to act as presiding officer.

b. Preservation of Order and Meeting Decorum

- 1 The presiding officer shall have the authority to maintain the order and decorum of a meeting.
2. The presiding officer should ensure that the meeting discourse follows the posted agenda but has authority to move agenda items around as they deem necessary during a meeting.

c. City Council Members

1. During city council meetings, council members shall preserve order and decorum and shall neither, by conversation or otherwise, delay or interrupt the proceedings nor refuse to obey the orders of the presiding officer or the rules of the city council.



City Council Policies and Procedures

2. Every city council member desiring to speak shall address the presiding officer and, upon recognition by the presiding officer, shall limit remarks to the question under debate and shall avoid discussion of personalities and indecorous language.
3. All members of the city council shall accord the utmost courtesy to each other, to city employees, and to members of the public appearing before the city council and shall refrain at all times from rude and derogatory remarks, reflection as to integrity, abusive comments, and statements as to motives and personalities.
4. City council members shall confine their questions as to the particular matters before the assembly and, in debate, shall confine their remarks to the issues before the city council.

d. Members of the Public

1. Citizens are welcome to attend all official meetings of the city council and will be admitted to the meeting room up to the fire safety capacity of the room.

City Council Policies and Procedures

2. Members of the public attending city council meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the city council. Any person making personal, impertinent, and slanderous remarks, or who becomes boisterous while addressing the city council or while attending the city council meeting, shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from attendance for the remainder of the meeting.
 3. It is the intent of the city council to provide a forum for persons to address the city council on topics or issues of concern. A person desiring to address the city council shall sign the speaker's sheet prior to the beginning of the meeting.
 4. Persons wishing to address issues not on the agenda may have five (5) minutes to address the city council during the citizen comments portion of the agenda. City council is prohibited from discussing any item not posted according to the Texas Open Meetings Act.
 5. Citizens shall not speak about pending legal matters, personnel issues, or personally attack individual council members, staff, consultants, or other citizens.
 6. Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the presiding officer, who shall direct the sergeant-at-arms to remove offenders from the room. Aggravated cases shall be prosecuted on appropriate complaint signed by the presiding officer. If the presiding officer fails to act, any member of the city council may move to require the presiding officer to act to enforce the rules, and the affirmative vote of the majority of the city council shall require the presiding office to act.
- e. News media
1. During the conduct of official business, members of the news media shall occupy spaces allocated for them.
 2. Members of the news media shall refrain from conversing privately with other persons in the meeting room during the conduct of official business.

City Council Policies and Procedures

3. Interview of persons attending city council meetings shall be conducted outside the meeting room.

f. City staff

1. Members of the administrative staff and employees of the city may attend city council meetings but shall observe the same rules of procedure and decorum applicable to members of the city council.
2. All remarks and questions addressed to the city council by a staff member shall be addressed to the city council as a whole and not to any individual member.
3. No staff member, other than a staff member having the floor, shall enter into discussion either directly or indirectly without permission of the presiding officer.

1.5 Order of Business

a. Agenda

1. The order of the business of each city council meeting shall be contained in the agenda prepared under the supervision of the mayor and city administrator and posted by the city secretary at city hall no fewer than 72 hours prior to the scheduled meeting, or as required by the Texas Open Meetings Act. The agenda must be posted on the bulletin board at the front of city hall and visible to all persons at all times during the posting period.
2. Business coming before the city council must be placed in one of the following categories and in the following order:
 - a. Call to Order
 - b. Invocation
 - c. Pledge of Allegiance
 - d. Announcements by the Mayor
 - e. Citizen Public Comments
 - f. Consent Agenda/staff reports



City Council Policies and Procedures

- g. Presentations/Proclamations/Recognitions
 - h. Public hearings
 - i. Discussion & Action Items
 - j. Executive Session
 - k. Adjourn
- 3. Items requiring a public hearing followed by an action item will be consolidated into one agenda item with action on the ordinance or resolution following the close of the public hearing.
- b. Procedure for Submitting Topics, Items to be Included on the City Council Agenda.
 - 1. Items may be placed on the agenda by the following (in no particular order): 1) the mayor, 2) mayor pro tem (when acting in place of the mayor), 3) any two (2) Council Members provided they submit the captioned request to the city secretary no later than 5:30 PM on the Monday prior to a scheduled meeting date; 4), city administrator, or 5) city employees through, and with the permission of, the mayor or city administrator or 6) by a board or commission following action by a board of commission.
 - 2. ~~It takes two (2) council member's to request that an item be placed on the agenda by providing the captioned item in writing to the city secretary. The item to be placed on the agenda must be presented no later than 5:30 PM on Monday one (1) week preceding the city council meeting. If this is not enough time for city staff to prepare the request, the council member will be notified and discuss an alternative date. The presiding officer has no authority to veto requested items.~~
 - 3.2. City staff can add agenda items. Items must be submitted no later than 8:00 am on the Wednesday preceding the a scheduled city council meeting.
 - 4. ~~The council member's requested item must be placed in the appropriate agenda category. If more than one council member requests that an item be placed on the agenda, the items will be listed on the agenda in the order in which they were received. If a requesting council member has more than one item, the council member shall list them in order of his or her priority.~~



City Council Policies and Procedures

5-3. The first priority item/topic submitted by a council member received first must precede in order of any subsequent items submitted by other council members; the first priority item/topic submitted by a council member received after the first council member's requested item must precede any subsequent items submitted by a council member. Second and third priority agenda items must be placed on the agenda in the same manner as the first priority items. (Basically, first received by the city secretary~~in~~, first on the agenda, by priority, by agenda category)

6. A citizen desiring to present an item for the city council's consideration may do so by written request to the City Administrator. When a written request from a person desiring to present an item for the city council's consideration is received, it must first be placed on an agenda or as a discussion item on the regular agenda. To be considered, a written request must be received two (2) weeks preceding a city council meeting and no later than 5:~~30~~00 p.m. ~~on on the Monday two (2) weeks Monday of the week~~ preceding the City Council work session or regular meeting. Any written presentation must also be submitted with the request prior to placement on the agenda. Should a person fail to appear at the city council work session at which he/she has requested an item to be considered by the city council, that item may be dropped by the city council unless that person has earlier requested the item to be tabled. Any item requested to be on the agenda may be tabled no more than two meetings after receipt of the request.
7. Council members will receive "packets" of information related to the upcoming city council meeting on Wednesday afternoon. Packets will be available after publishing on Civic Clerk.



City Council Policies and Procedures

1.6 Motions and Voting Procedures

a. Vote of the Presiding Officer

The mayor may participate in the discussion of all matters coming before the city council but is entitled to vote only in case of a tie, as dictated by the state law.

b. Abstention from Voting

Every city council member present when a question is put shall vote either "yes" or "no," unless the city council member is prevented from voting because of a conflict of interests. A city council member who is absent from the meeting during a vote and returns to or arrives at the meeting before adjournment shall, upon returning or arriving, vote on the question for the record unless prevented from voting by a conflict of interests. As per law, a council member retains their right to abstain from voting upon putting for a reason for said abstention. A city council member recorded present during a meeting who does not vote and who is not prevented from voting by a conflict of interests shall be recorded as having voted in the affirmative, unless the member has obtained the consent of the presiding officer to leave the meeting and is absent for the remainder of the meeting.

~~This section will be removed. This wording is more for a Home Rule City.~~

c. Conflict of interest

A city council member stopped from voting on a matter for reasons of financial interest shall:

1. refrain from discussing the matter at any time with any other member of the city council or any other body that will consider the matter;
2. leave the room during debate and hearing; and
3. refrain from voting on the matter.

1.7 Dealings with city employees.

a. In general

Under no circumstances shall members of the city council interfere in any manner with the employees or personnel who work with or under the city council.

b. Chain of authority

1. All directives, instructions, or orders to department heads or other city employees from the city council shall be made by the city council as a whole.
2. Council members are encouraged to speak with the department head or City Administrator if they have concerns about an employee or a work process in their individual capacity.
3. If a council member has a complaint about an employee that reports directly to council, the council person shall put that complaint in writing including the reason for the complaint and applicable policy or law violation, provide the complaint to the Mayor, and the Mayor shall cause the item to be placed on the agenda if they feel it has a basis in fact and needs to be considered. The item can be placed on the agenda by written request of two council members if the Mayor declines to add it to the agenda for some reason.
4. If a council member has a complaint about an employee that does not report directly to council, the council member shall provide a written complaint to the City Administrator who will handle the complaint according to the City of Venus Human Resources Policy and Procedure handbook. The City Administrator, City Secretary, City Engineer, Municipal Judge, and City Attorney report directly to City Council unless an ordinance specifies another specific position. All other positions report to, directly or indirectly through the Department Heads, to the City Administrator.
5. Council members are encouraged to direct employees back to their chain of command and internal processes when a city employee that does not report directly to council comes to them with a complaint to prevent the council member from unnecessarily becoming involved in the internal complaint process. The council member can provide the information in writing to the City Administrator for them to follow up with based on the City of Venus Human Resources Policy and Procedure handbook if they feel it needs to be brought to someone's attention.
6. The procedural requirement set forth in this article is established for the purpose of providing a proper chain of command in regard to the routine

administrative functions of the city and shall not apply in case of emergency or where such requirements would be contrary to the laws and constitution of this state.

7. Provided further, such requirement shall not prohibit direct instructions or orders between the city council and the city secretary in matters related to the city secretary's statutory duties as official city secretary of the city but shall apply to the additional clerical functions which are performed by the city secretary under the direction of the City Administrator.

ARTICLE 2.0

COUNCIL TRAVEL AND TRAINING

2.1 Education and Training

- a. In order to be an effective representative, it is the policy of the city council that members should be as informed as possible on local, state, and national issues. In order to be an informed representative, council members should avail themselves of training and informational opportunities within budgetary constraints.
- b. It is also the policy of the city council that members should make, to the extent possible, themselves available as city representatives at official city, county, and state sponsored and community-based events.

2.2 Funding and Eligible Travel Expenditures

- a. Within the funds available, the council shall budget annually an amount of funds that shall be made available for council member education and training. These funds may be used to pay or reimburse council members for the following expenses associated with education and training:
 1. Expenses for public or private transportation including air fare, transit fare, taxi fare, or mileage reimbursement for the use of a council member's personal vehicle when traveling outside the city limits. Personal mileage reimbursement will be at the annually established IRS mileage rate.
 2. Hotel or motel lodging when associated with an education or training event.
 3. Funds will be advanced or reimbursed for meals while attending an educational or training event, including meals traveling to or from the event.
 4. Registration expenses will be advanced or reimbursed for educational or training events, including materials, luncheons, and receptions when made a part of the registration fee.

-
- 5. This travel policy includes travel expenses as described above for a member traveling as a city representative when the city or the council member is a member of a governmental board or organization.
 - b. Payment or reimbursement applies only to the city council member.
 - c. In order to receive reimbursement or subsequent to an advance of funds, city council members are responsible for providing receipts or appropriate documentation of expenses in a timely manner following the travel event.

ITEM REPORT

To: City Council
From: Joshua Jones, City Administrator
Subject: Approval of a comprehensive update to the City's Human Resource Personnel Policy.
Department/Office: Administration

Summary:

This item is an update to the City's Human Resource Policies and Procedures Manual.

Many of the updates and revisions are simply to remove inconsistencies and resolve textual conflicts within the manual.

Major Changes of Note:

- Changes to these Policies/Severability: Authorizes the City Administrator/Manager to make unilateral amendments, revisions, and/or updates as far as any changes do not have a direct or indirect impact on the annual budget, as approved by the City Council.
- Probationary Periods: Reduces the probationary period for promoted or transferred employees from six (6) months to three (3) months.
- Residency Requirements: Increases "*reasonable commute distance*" from twenty-five (25) to thirty (30).
- Other Types of Pay: Restructures "longevity" pay to mirror more traditional municipal tenure requirements by lowering the minimum tenure for each level.
- Weather Emergencies: Authorizes the City Administrator/Manager to designate the closing of city facilities.
- Vacation Leave: Restructures the hourly accrual rate to mirror more traditional municipal tenure requirements by lowering the minimum tenure for each level and clarifies the "*annual hourly cap*".
- Medical Leave: Adds a sick leave donation policy to allow employees to donate a portion of their sick leave to co-workers in need.
- Holidays: Adds the authorization of the Mayor to declare "partial holidays", e.g., closing city facilities early.
- Dismissals: Removed the Mayor from the appeals process.

Recommended Action:

Approved as presented.

Budget:

N/A

Attachments:

1. City of Venus_Updated HR Policies and Procedures_3.10.2025



PERSONNEL POLICIES & PROCEDURES

APPROVED & ADOPTED

MARCH 10, 2025

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Article I. GENERAL PROVISIONS

Section 1.01 Authority

The city council established and authorized these policies. The council must approve any deletions, amendments, revisions, or additions to them.

These policies completely replace and supersede all personnel policies previously adopted, individually or as a set of policies, by the City Council.

In addition to these personnel policies, department heads may establish departmental rules and regulations that relate specifically to personnel issues in their departments if they do not conflict with these policies. If there is a conflict between a departmental rule or policy and these policies or any future amendments to these policies, the terms of these policies shall prevail.

Additionally, departmental rules, regulations, and policies must be approved by the City Administrator/Manager or their designee, ratified by the City Attorney for legal compliance, and placed officially on file with the Human Resources Director.

Section 1.02 Purpose

These policies set forth guidelines for the City. They were prepared and adopted to promote consistent, equitable, and effective practices by employees and supervisors, resulting in high-quality public service to the citizens of Venus.

The basic objectives of these policies are:

- To promote and increase efficiency and responsiveness to the public;
- To establish and maintain an equitable and uniform plan of evaluation and compensation based upon the relative duties and responsibilities of positions within the City;
- To establish and promote high morale among City employees by providing a good working environment and uniform personnel policies;
- To provide an attractive, efficient, and safe environment by maintaining good physical working conditions;
- To communicate freely and to encourage communication with and among all employees;
- To provide a work environment that is conducive to both personal and professional growth; and;

- To safeguard any employee's right to be treated with respect, dignity, equity, and fairness; where provided, the right to appeal any violation of these rights.
- All employees of the City of Venus are employed on an at-will basis. This personnel manual shall not be construed as altering the at-will employment relationship or creating a contract between the City of Venus and its employees.

All appeal procedures are for fact-finding and to assist in the just administration of the personnel policies of the City of Venus. The appeal procedures contained in this personnel manual shall not be construed to grant employees of the City of Venus any form of property interest in their continued employment.

Section 1.03 Applicability

These personnel policies apply equally to all employees of the City unless a class of employees is specifically exempted by these policies. These policies also apply to any employee or officer who has a contractual agreement with the City unless they conflict with the provisions in the contract, and in that case, the contract stands ahead of the policy. In cases where federal or state laws or regulations supersede local policy for specific groups of employees, such laws or regulations will substitute for these personnel policies only as far as necessary for compliance.

Section 1.04 Changes to these Policies/Severability

These personnel policies may be amended or revised, or new policies may be added, at any time, with or without notice, upon the approval of the City Council. In addition, the City Administrator/Manager shall conduct an annual review of the policies as part of the budget process and submit necessary or recommended changes to the City Council for approval before the beginning of each new calendar year. Employees will be notified by the City Administrator/Manager or designee of any changes to these policies as soon as practicable.

The City Administrator/Manager may make unilateral amendments, revisions, and/or updates as far as any changes do not have a direct or indirect impact on the annual budget, as approved by the City Council.

Employees are encouraged to make constructive suggestions for improvements in these policies or work procedures or conditions. Any employee who wishes to suggest a personnel policy change should submit his or her suggestions to the City Administrator/Manager for consideration. Employees are responsible for maintaining current knowledge and understanding of all personnel policy changes and for requesting clarification or assistance when needed.

The provisions of these policies are severable, and if any provision or part of a provision is held invalid, illegal, or unenforceable, this shall not affect the validity of the remaining provisions or parts of provisions, which shall remain in force and effect. Changes in state or federal law or regulations will supersede these policies and/or departmental policies from the effective date of the law or regulation forward.

Section 1.05 Responsibility for Implementation of Personnel Policies

Except for matters of appointments and other personnel actions reserved to the City Council by statute, the City Administrator/Manager is responsible for the administration of these personnel policies.

The City Administrator/Manager may delegate authority to appropriate staff members, including department heads, to act on his or her behalf in the administration of these policies.

Final authority, in the form of review and approval, is reserved to the City Administrator/Manager regarding all personnel matters and subjects covered by these regulations.

Section 1.06 Dissemination of Personnel Policies

Each City employee, whether full- or part-time, shall receive a copy of these policies via email, hard copy, or the City's internal electronic records maintenance system and is required to read it carefully and to adhere to the rules and regulations stated. Within one (1) week of commencing employment, every employee is required to sign an acknowledgment that he or she has received, read, and understood the policies, and this signed acknowledgment shall be placed in the employee's personnel file.

The Human Resource Department maintains the official set of the personnel policies with all revisions for reference by employees. In addition, the Director of HR will distribute a complete copy of this manual and copies of subsequent revisions to each employee. If a question arises about a particular policy, the official set of policies maintained by the Human Resource Department shall supersede all copies.

Section 1.07 Confidentiality of Personal Information

As a municipal government, the City of Venus is required to comply with the Texas Public Information Act. However, Texas Government Code Sections 552.024 provides that each employee may choose whether the City discloses certain personal information (i.e.,

employee's home address and telephone number and social security information) to the public on request.

All new employees must complete and return a Public Access Option Form to the Human Resources Department within the first fourteen (14) days of employment. If it is not received, this information is public information, except for police officers, whose addresses and telephone numbers are not public information. Employees may change their elections for disclosure or confidentiality at any time by submitting a new Public Access Option Form. (Appendix E)

Section 1.08 Equal Employment Opportunity/Affirmative Action

The City of Venus is an equal employment opportunity employer. No person shall be discriminated against because of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), age, national origin, disability, political affiliation, citizenship, veteran status, or genetic information (including family medical history).

In addition, the City of Venus does not discriminate, as set out above, regarding job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms or conditions of employment. The City prohibits retaliation or discrimination against any employee for opposing an unlawful or discriminatory employment practice or for alleging such a practice or participating in an investigation of an allegation of discrimination.

Article II. ORGANIZATION OF THE CITY GOVERNMENT

Section 2.01 City Organization

Cities are formed to manage the needs of people who live and work in close quarters. Cities provide basic services, such as streets, law enforcement, and utilities, and enact and enforce ordinances to protect citizens and foster a better City environment. City government in Texas, as in most of the United States, was founded on, and continues to evolve from, the premise that local communities know best how to run their local affairs.

The City of Venus is a General Law City originally known as Gossip, then Midway. It was incorporated under the name Venus in 1903 under the state's general laws. The City is governed by the City Council, which is composed of a Mayor and five Council Members. In 2003, by Ordinance # 276-2003, the City Council adopted a Council-Manager form of governance and appointed a City Administrator/Manager who administers the City and is responsible for hiring employees and for personnel administration.

Section 2.02 Role of the Mayor

- Presiding officer of City Council; may call meetings, set agendas depending on City structure.
- Head of emergency management
- Some appointive powers, signatory duties, and ceremonial duties
- Leads policy priority process.

Section 2.03 Role of the City Council

- Broad policy-making authority, including passing ordinances and resolutions.
- Oversees the direction of the City and appoints the City Administrator/Manager.
- Approves City budgeted purchases
- Fills vacancies in appointive offices
- Sets salaries and benefits for City employees
- Sets the City's budget (including department budgets) and tax rate
- Authorizes contracts
- May appoint task forces

Section 2.04 Role of the City Administrator/Manager

- Implement policy decisions made by the Mayor and City Council
- Manages the City budget, prepares budget recommendations, and monitors the City's financial position
- Coordinates City operations and programs and recommends improvements
- Appoints City employees who are not appointed by the City Council
- Supervises City departments
- Oversees enforcement of non-criminal municipal laws and ordinances
- May authorize some expenditures without City Council approval

Article III. CLASSIFICATION OF EMPLOYEES

Section 3.01 Role of the Employee

(a) Standards of Conduct

- To an unusual extent, employees of a municipal organization are the "Good Will Ambassadors" of the City, and such status involves a degree of duty and obligation regarding public and private conduct, which is not common to many other classes of employment.

- The City of Venus is a public, tax-supported organization. Its employees must always adhere to the highest standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct. Employees are required to give a full day's work, to carry out efficiently the work items assigned as their responsibility, and to do their part in maintaining good relationships with the public, their supervisors, City officials, and their fellow employees.
- Employees shall not accept or solicit for personal financial gain any benefit that might influence them to act improperly. Employees shall not use their positions improperly to secure unwarranted privileges or exemptions for themselves or their family members or participate in making or influencing any City of Venus decision or action in which they have any financial interest. Employees shall not accept employment or compensation that might reasonably induce them to disclose confidential information acquired in the performance of official duties; accept outside employment or compensation that might reasonably tend to impair independence of judgment in performance of duties for the City of Venus; or make any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and duties for the City of Venus.
- As a condition of their employment, employees shall not use or disclose, other than in the performance of their duties or as may be required by law, confidential information gained during or by reasons of their position with the City of Venus. As a condition of employment, each employee must sign a Non-Disclosure/ Confidentiality Acknowledgment and Agreement (Appendix D).

(b) Timeliness and Attendance

- Employees are to be punctual in reporting for work at their designated work site and shall keep appointments and meet schedules for the completion of work.
- An employee who expects to be late for or absent from work must report the expected tardiness or absence directly to his or her supervisor not later than 15 minutes before the time the employee is scheduled to begin work unless work emergency conditions exist. It may be required in some departments for an employee who will be late or absent to contact his or her supervisor or department head four hours before the employee's scheduled time to begin work unless emergency conditions exist. Incidental knowledge of the planned absence by the City because of comments of other employees,

emails, or information from public communications sources does not constitute notice to the City from the employee or his/her designee.

- Failure to report within the required period is justification for disallowing paid medical leave for an absence. Unless otherwise approved by the supervisor, employees are expected to call or text on each day of absence. If an employee is absent for medical reasons for three or more consecutive workdays, the employee may not return to work without a report from a doctor describing the period of the employee's illness and stating that the employee is released to return to work without limitation.
- The City of Venus utilizes an electronic time-clock system whereby each employee must punch in and out utilizing a key fob, personalized key code, or fingerprint entered at the clock pad site. All City employees will use this system. All non-exempt City employees will use this system. Time clock information collected for exempt employees will only be used to maintain paid time off information (Vacation, Medical, Holiday, Floating Holiday, or Personal Days).
- The City will retain and promote those employees who are dependable. An occasional absence or lateness will be unavoidable, but frequent tardiness or unexcused absence is not permissible and is grounds for disciplinary action up to and including termination.

(c) Professional Appearance

- While the City does not have a formal dress code, the City encourages a business-casual work environment. As representatives of the City, employees are encouraged to set and meet high standards both in performing quality work and in presenting a professional personal image to the public.

1) Appropriate Attire

- Neat and Well-Groomed — During working hours, employees should always appear neat and professional. Employees are expected to be suitably attired and well groomed, and ensure that their clothing is clean, ironed, and not torn, ripped, or stained.
- Professional Attire — Employees should use common sense and good judgment in determining what to wear to work. If the employee is doubtful about some clothing, it is not appropriate.
- Job Specific — this dress code policy is a general guideline, but employees should take into consideration any job-specific safety concerns or requirements. Employees who regularly lift machinery or heavy materials

should not wear dangling clothing or jewelry that may get caught in machinery and should always wear comfortable, slip-resistant safety shoes.

- Employees are expected to exercise regular hygiene care and to dress and groom themselves neatly and tastefully appropriate for the job being performed. Personal hygiene includes regular bathing/showering, use of deodorant, and oral hygiene. Undergarments must not be visible.
- Attire and footwear must be appropriate for the work setting, particularly if there is public contact.
- Department Heads can further expand on appropriate attire within their departments/divisions.
- For administrative personnel, the last business day of the week shall be a standing “casual” day, allowing employees the freedom to wear blue jeans and collared shirts that are appropriate for a professional business setting.
- Appropriate t-shirts and sweatshirts demonstrating support for the City of Venus, Venus Independent School District, or City-supported community event may be worn on the last day of the business week with approval of the City Administrator/Manager.
- The City Administrator/Manager may declare a casual day at any time.

2) Prohibited Attire

Some clothes are unacceptable for work at any time. The following list provides some examples, although it is not a complete list:

- Any clothing that contains an offensive word, message, slogan, or picture directed at race, sexual orientation, gender, age, religion, disability, or is otherwise considered to be offensive or harassing in some way.
- Cut-offs or shorts (Shorts, as approved by the Department Head, may be allowed during the summer months, subject to the approval of the City Administrator/Manager)
- Gym clothes or beachwear
- Clothing that reveals the employees’ garments
- Spandex, Lycra, or leggings (unless under a dress or similar external garment)
- Tank tops, tube tops, halter tops, or shirts with spaghetti straps.
- Off-the-shoulder tops
- Lounge wear (e.g., pajama pants)
- Sweatshirts or sweatpants (Sweatshirts, demonstrating support for the City of Venus and as approved by the Department Head may be allowed during

the winter months, subject to the approval of the City Administrator/Manager.)

- Miniskirts
- Flip-flops
- Any clothing that reveals the employee's stomach, full back, cleavage, or chest, or otherwise revealing attire.
- If logos are on clothing, these logos should not promote contractors or vendors that may conduct business with the City.

3) Uniforms

Some City departments require employees to wear uniforms. In some cases, the City provides the uniform and/or pays for the maintenance costs. In all cases, the employees must keep their uniforms neat and clean. Employees who have been issued City uniforms must return these uniforms before leaving City employment.

In instances where the City requires safety apparel such as steel-toed boots, the City may advance employees up to \$200.00 per year for the purchase of such attire. The City may then allow the employee to reimburse the City the cost of such attire for up to six months through payroll deductions. In the event the employee's employment is terminated for any reason, the total amount due shall become immediately due and shall be deducted from the employee's final paycheck.

The City asks that while employees are in uniform, they act professionally.

4) Body Ornaments

Gauges (or large holes in the ears), body piercing, or other ornamentation of the face (other than ears), head, and mouth are not appropriate for the workplace, but may be permitted at the discretion of the City Administrator/Manager and Department Head. Body art, including tattoos, branding, intentional scarring, or body-mutilation, is prohibited on the face or head. Employees who work at City Hall must keep tattoos covered with a shirt, pants, skirt, socks, hosiery, or other clothing. Permanent makeup is excluded from this policy.

Offensive body ornamentation is not allowed in the workplace. Offensive is defined as obscene, indecent, sexually explicit, advocates or symbolizes sexual acts or conduct, associates with an extremist group, gang membership, gang activity, advocates or symbolizes prejudice or discrimination based on race, color, national origin, ethnicity, religion, gender, sexual orientation, or age. The listed body ornamentation is not permitted and must be covered in the workplace.

If this policy causes concern due to religious beliefs, medical conditions, or any other legally protected class, please contact the Human Resource Department to discuss appropriate options for accommodation.

Section 3.02 Employee at Will

These Personnel Policies do not create or imply an employment contract between the employee and the City of Venus, either taken by themselves or together with any express or implied oral or written representations of any official of the City or any other document or writing. Because of employment with the City, no employee acquires a vested or tenured right of employment for life or for any specified time. Employees of the City of Venus are at-will employees. This means that both the employer and the employee may terminate their employment with the City of Venus with or without cause.

Employment-at-will also means that the City, within requirements of state and federal law regarding employment, can transfer, demote, dismiss, or administer any other form of employment discipline to an employee at any time, with or without notice, for any reason or without giving notice.

Section 3.03 Types of Positions

(a) Sworn and Non-Sworn

Employees working in the Public Safety departments of Police and Fire are considered Sworn Employees. They may have different requirements concerning probation period, hours worked, benefit hours and overtime calculations.

All other employees are considered non-sworn. In this manual, where there are differences between the two groups, it will be noted.

(b) Full Time Regular

A full-time regular employee is appointed to an authorized position that involves, on average, 40 hours (about 3 days) per week and that is expected to last at least six months. Regular full-time employees may be either hourly or salaried employees. These positions are eligible for benefits such as health insurance, retirement, and paid time off such as vacation and medical leave.

(c) Part Time Regular – Eligible for Benefits

Positions in which the required work week is on average, at least thirty-two (32) hours but less than forty (40) hours per workweek, and usually less than 1,000 hours

(about 1 and a half months) annually. Regular part-time employees are hourly. Under the Affordable Care Act, Employees working more than thirty-one (31) hours per week (1612 annually) are eligible for medical insurance. Employees working 1,000 hours (about 1 and a half months) per year are eligible for participation in the Texas Municipal Retirement System. In both cases the employee is not eligible for other benefits.

(d) Part-time Regular – No Benefits

A temporary full-time employee is an employee hired to work an average of thirty (30) hours or less per week. Part-time regular employees are paid hourly and are not eligible for any benefits.

(e) Seasonal temporary – No Benefits

A temporary part-time employee is an employee hired to work an average of fewer than forty (40) hours per week and no more than 900 hours (about 1 month 1 week) per year, for a period which is normally specified in advance and is expected to last fewer than four (4) months. Temporary part-time employees are paid hourly and are not eligible for benefits.

Please note that the hours worked criteria noted above are used to determine eligibility for benefits. The number of hours noted above is not used to determine other types of payment issues such as eligibility for overtime pay. Overtime pay is governed by the Fair Labor Standards Act as outlined in Article 5 of this manual.

Section 3.04 Chain of Command

Directions regarding work to be done, expected results, the adequacy of work performance, and grievances will follow the chain of command:

- Individual City employees are responsible to the department head or City Administrator/Manager or to a supervisor designated by the department head or City Administrator/Manager.
- Department heads are responsible to the City Administrator/Manager.
- The City Administrator/Manager is responsible to the City Council as a whole and not any single member.

Section 3.05 Probation Period

All new regular employees serve a six (6) month probation period. When longer probationary periods are required by other regulations, the longer period shall apply.

The introductory period gives a new employee the opportunity to learn fully the requirements of his or her new job. The introductory period will be utilized to provide on-the-job training and formal training and to closely observe the employee's work, for securing the most effective adjustment of a new employee to the position, and for dismissing any employee whose performance does not meet the required work standards.

Satisfactory job performance includes, but is not limited to regular attendance, punctuality, proper conduct toward the supervisor, fellow employees, City Administrator/Manager, City Council, and the public as well as satisfactory performance of the duties of the position.

During the probationary period, the supervisor reports to the City Administrator/Manager on the employee's work, ability to perform the duties satisfactorily, attitude, habits, and dependability.

At any time during the probationary period, as at any other time during employment, the Department Head may recommend dismissal of a new employee if, in the department head's opinion, the employee is either unable or unwilling to perform the duties; or if the employee's dependability does not merit continuance of the City employment; or for other reasons as provided elsewhere in these policies.

At the end of the six (6) month probationary period, each new employee shall receive a personal evaluation and interview by the department head. At such time, the employee shall be informed of his/her progress.

If the decision is made to extend the probation, the employee will be given expectations by the department head in areas where improvement is needed. At the end of the extension, the employee shall receive a personal evaluation and interview by the department head.

A probationary period of three (3) months will also be in place for any employee who is promoted or transferred to a new position within the City.

Section 3.06 Residency Requirements

There shall be no absolute residency requirements for City employment. However, departmental policies and job descriptions outlined at the time of hire may require a specific response time for those employees likely to be called to work in cases of emergency. Such employees may be required to reside within a reasonable commuting range of their places of work. For these purposes, a reasonable commuting distance shall be defined as thirty (30) miles from the City limits. The City Administrator/Manager shall make any final decision regarding acceptable distance for key personnel. Employees who are allowed to operate City vehicles between their places of residence and work may be required to reside within the city or have a reasonable commuting range as defined above.

Employees who are allowed to operate City vehicles between their places of residence and work may be required to reside within the city or at a reasonable commuting time as defined above.

The City Administrator/Manager shall make any final determination regarding acceptable response times for all personnel.

Article IV. APPOINTMENT PROCEDURES

Section 4.01 Equal Opportunity Employer

The City of Venus is an equal employment opportunity employer. No person shall be discriminated against because of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), age, national origin, disability, political affiliation, citizenship, veteran's status, or genetic information (including family medical history). In addition, the City of Venus does not discriminate, as set out above, regarding job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms or conditions of employment.

Section 4.02 Employment of Persons with Disabilities

It is the policy of the City to make its employment application process, employee activities, working environment, employee benefits, employee training, and employee advancement process accessible to persons with disabilities; and the City will make reasonable accommodations for a qualified individual with a disability who is an employee or applicant for employment of the City unless that accommodation will place an undue hardship on City finances or operations or will pose a danger to the applicant, the employee or others. Reasonable accommodations are adjustments or modifications provided by an employer to enable people with disabilities to enjoy equal employment opportunities. Accommodations vary depending upon the needs of the individual applicant or employee.

The Americans with Disability Act states that an individual with a disability is a person who:

- Has a physical or mental impairment that limits one or more major life activities.
- Has a record of such an impairment; or
- Is regarded as having such an impairment.

Persons with disabilities will be provided with equal access to the hiring process. Persons with disabilities who perform the job's essential functions will be given equal access to promotion, training, and other benefit opportunities. No person will be subject to any form of retaliation for pursuing a complaint based on disability-related discrimination.

Section 4.03 Age Requirements

Persons under 18 years of age will not be hired in any position.

Other age limitations will be applied only as required by specific state or federal law applicable to the City.

Section 4.04 METHODS OF RECRUITMENT AND SELECTION

Only vacancies allocated in the annual budget or new positions authorized by the City Council will be filled.

The City has four methods of recruiting and selecting persons to fill vacancies:

- promotion from within;
- lateral transfer from within;
- public announcement and competitive consideration of applicants for employment and/or;
- selection from a valid current eligibility list. This is a list of applicants for the same or a similar position for which applications were sought within the last six months.

The City does not accept applications for employment unless a specific vacancy exists. Persons wishing to apply for a job with the City when a specific vacancy does not exist are informed of the manner of advertising City job announcements and that they may file an application at any time an advertised vacancy exists for which they consider themselves to be qualified.

Each person desiring employment with the City is required to apply on the City's official application form and other pertinent information regarding training and experience. All applicants shall be required to sign authorizations to release information regarding their employment history and driving record to the City. The City will make appropriate inquiries to verify education, experience, character, and required certificates and skills of an applicant after a conditional offer of employment is extended to a candidate. In the case of applicants for positions which require driving a vehicle, the City will check the prospective employee's driving record after a conditional offer of employment is made.

An applicant is disqualified from employment by the City if he or she:

- Does not meet the minimum qualifications for performance of the duties of the position involved.
- Knowingly has made a false statement on the application form
- Has committed fraud during the selection process.
- Would be in violation of the nepotism policy or laws.
- Has offered or attempted to offer money, service, or any other thing of value to secure an advantage in the selection process.

- Is not able to perform the position's essential functions, with or without reasonable accommodation.
- Has failed to submit the application to the designated place or within the prescribed time limit.
- Has failed to produce original legal document(s) within three days of employment that establish identity and employment eligibility.

All employment applications that have not resulted in employment will be deactivated after six (6) months and destroyed after two (2) years.

The City Administrator/Manager determines the method(s) of selection to be used in filling each vacancy.

The City may, if appropriate, utilize a variety of methods to advertise recruitments including the official newspaper(s) of the City, social media, professional organizations, the Texas Employment Commission, and job search websites.

Except for appointments reserved to the City Council by statute or ordinance, the City Administrator/Manager has exclusive authority to select and employ all City employees. The City Administrator/Manager may authorize department heads to appoint and remove employees from within their departments, subject to approval by the City Administrator/Manager and within the limits of these policies and the City's budget. Other supervisors may be asked for recommendations as appropriate.

Neither the City Council nor any of its members shall in any manner dictate the appointment or removal of any City employees to whom the City Administrator/Manager or any of his/her subordinates is authorized to appoint or remove. However, the City Council or its members may express their views and opinions on such matters freely to the City Administrator/Manager.

Applications, interview notes, test results, and other interview-related materials are returned to the Human Resource Department for proper filing after interviews are completed.

Section 4.05 Public Position Announcements

Public announcement of position openings at the City for which there will be competitive consideration may be disseminated by the Human Resource Department in the manner most appropriate for the position being filled, as determined by the City Administrator/Manager. Department heads wanting a position filled within their department must submit relevant information about the position to the Human Resource Department which ensures that the job opening announcements are made public and posts them at the City's administrative offices.

Current employees may apply for positions for which they believe themselves to be qualified and will be given preference in employment decisions assuming their qualifications are essentially equal to outside applicants and the employee has a consistent record of superior performance. If selected for the position for which he or she applied, a City employee can transfer to another City position without loss of pay provided that his or her current pay is within the range approved by the City Council for the transfer position and sufficient funds are available in the receiving department's budget.

The length of time during which applications will be accepted for a given vacant position will be determined by the City Administrator/Manager, or his or her designee, under the circumstances that exist at the time.

Section 4.06 Internal Job Assignment Changes

(a) Promotion

A promotion is a change in the duty assignment of an employee that results in advancement to a position in a higher pay group requiring higher qualifications and involving greater responsibility. A promoted employee may receive a pay increase. No promotion shall be made solely based on seniority or longevity.

Promotions are approved by the City Administrator/Manager within the staffing pattern and budget limits approved by the City Council. Employees who can perform the essential functions of the position, with or without reasonable accommodation, may be eligible for consideration for a promotion if a vacancy occurs.

Upon promotion, an employee serves an introductory period of three (3) months in the new position. If performance is unsatisfactory, as documented by the department head and attested by the City Administrator/Manager, the individual may be returned to a position in a lower pay group if a suitable position is available or terminated at any time during the introductory period. The City has no obligation to place the individual in another position within the City, including the position formerly held.

At the successful completion of the probation period, a performance review will be given, and a salary review may be conducted by the employee's supervisor under the City's salary classification system. This review may result in, but does not guarantee, a salary increase.

(b) Temporary Promotions/Interim Assignments

An employee who is required to serve in a position of a higher classification shall receive the base minimum pay of the higher classified position.

The following must occur to qualify for the higher pay:

- The employee must be able to perform the duties of the position of higher classification.
- The employee is asked to serve in a higher-classification position.
- The employee accepts the responsibility for work in a higher position.
- The assignment to a higher-class position is regular and continuous for a minimum of thirty (30) days.
- The assignment is approved by the Department Director. If it is a Department Director position, the City Administrator/Manager or their designee will make the decision.

Employees who separate employment while on Temporary Promotions/Interim Assignments will not be paid previously accrued hours at Temporary Promotions/Interim Assignments pay. An employee may be temporarily assigned to the work of any position of the same or lower-class grade without a change in pay.

For temporary assignments of less than thirty (30) days, the City Administrator/Manager may approve an increase in the employee's present salary, not to exceed ten percent (10%). The amount will be based on the employee's knowledge, skills, abilities, experience, training, and education.

(c)

Lateral Transfers

A lateral transfer is the movement of an employee between positions in the same pay range within the City. Lateral transfers may be made within the same department or between departments if a vacant position is available and the employee can perform the essential functions of the position, with or without reasonable accommodation.

A transfer not involving promotion or demotion may be affected at any time for administrative convenience or necessity, or upon request of the employee to the department head, or if interdepartmental, to the City Administrator/Manager; provided that the employee is qualified to perform the duties of the position to which transfer is contemplated.

An employee who is laterally transferred is subject to a three (3) month trial period and may be returned to his or her former position at any time during the introductory period if performance is less than fully satisfactory. The City, with approval from the City Administrator/Manager, reserves the right to fill the former position during the three (3) month trial period if it is determined to be in the best interest of the City or related department. A

transfer may be requested by either an employee, by the supervisor for whom he or she will work if transferred, or by the City Administrator/Manager. If a position is reclassified resulting in a lateral transfer, no pay adjustment will take place.

(d) **Demotion**

A demotion is a change in duty assignment of an employee to a lower paid position. Demotions may be made for the purpose of voluntary assumption of a less responsible position, as a reasonable accommodation for an employee with a disability, because of a reclassification of the employee's position, or as a disciplinary measure because of unsatisfactory performance in a higher position. If a position is reclassified downward because of changes in the City's needs and not because of a performance problem on the part of the employee, the City will attempt to maintain the employee's salary at its prior level.

Section 4.07 Pre-employment Examinations

Except for drug and psychological tests for certified police employees and any other test that may be required by state law or these policies, the only performance tests administered for employment or promotion normally will be specifically job-related ("piece-of-the-job") tests (e.g. typing, operating a computer, operating a piece of equipment, lifting something heavy required in the job, tabulating columns of numbers, writing samples, etc.). The City may conduct pre-employment qualification testing for certain jobs. The tests vary based on the required qualifications for the position. Reasonable accommodation will be made for applicants with a disability if a request for such accommodation is made in advance of a test.

Certain classes of employees will be required to undergo a medical examination. After a conditional offer of employment is made to the individual, they will be sent for this exam by a physician designated by the City. The purpose of this exam is to determine that the prospective employee meets the minimum standards of physical fitness required for the position and can perform the essential physical functions of the job as stated in the job description for the position. The City is responsible for the cost of this exam.

All prospective full-time, regular employees in safety-sensitive positions are required to undergo a drug test after a conditional offer of employment has been extended. A non-safety-sensitive employee shall not be placed, transferred, or promoted into a safety-sensitive position until the employee takes a drug test with a verified negative result. Refusal to submit to testing will result in rejection or removal from eligible list.

In addition, prospective new employees for active police officer certification may undergo an examination by a licensed psychologist or psychiatrist of the City's choice which will be paid for by the City.

All records relating to the medical condition, medical testing, or drug testing of an employee or prospective employee are maintained separately from employee personnel files. These medical files are confidential and are not released to anyone unless a "need to know" has been clearly established.

Section 4.08 PRIOR SERVICE WITH THE CITY

Former employees of the City of Venus who left employment in good standing are considered eligible for rehire. Good standing is defined as someone who gave the appropriate amount of notice about their termination and were not under disciplinary action for reasons of misconduct or performance when they left.

Employees entering service with the City who have had prior service with the City may be considered for appointment above the customary entry salary level. A break in continuous service with the City forfeits any benefits accrued prior to the break. However, the City Administrator//Manager may determine that when appropriate, an employee reentering City employment may be given credit for prior years of service, and his or her date of employment may be adjusted accordingly to entitle the employee to the appropriate level of any current benefits which are based on longevity.

Section 4.09 EMPLOYMENT OF RELATIVES (NEPOTISM)

Due to the potential for perceived or actual conflicts, such as favoritism or personal conflicts, the following restrictions apply to the hiring of relatives.

- a) No person related within the first or second degree of affinity or within the first, second, or third degree of consanguinity to members of the City Council or City Manager shall be appointed to any employment position for the City.
- b) Any relative to an employee on the Nepotism chart, related within the first or second degree of affinity or first, second and third degree of consanguinity cannot hold employment in the same department or any position that holds influence over a relative. Exceptions to this are seasonal/temporary positions allowed for the seasonal period only so long as they are not in the chain of command of supervision.
- c) An individual shall not be appointed to any position that is at any point within the chain of supervision or management of someone related.

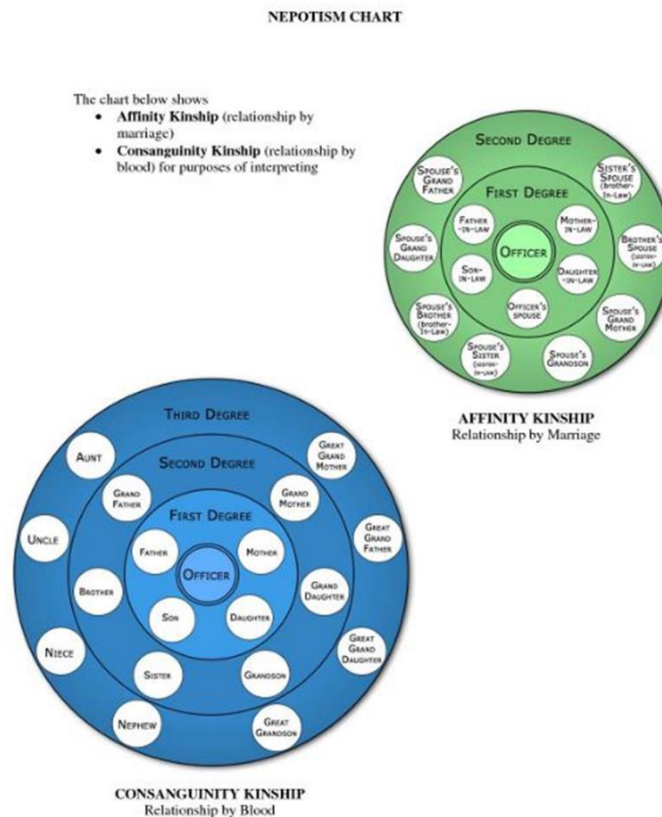
- d) The City will follow the Texas Government Code Chapter 573 in determining kinship.

The City Administrator/Manager and Mayor shall have the authority to make exceptions to this policy should there be a business necessity. An example of an exception exists when both employees provide a unique skill and the amount of investment in the employees made by the City for training is financially substantial.

For this policy, see the nepotism chart below, including the Affinity Kinship (relation by marriage) and Consanguinity Kinship (relation by blood):

The chart below shows:

- Consanguinity Kinship (relationship by blood) for purposes of interpreting
- Affinity Kinship (relationship by marriage)



(a) Relationships Between Co-Workers

Relationships between coworkers must never affect an employee's job performance or interfere with activities in the workplace. Supervisors may not "date," have romantic associations with or otherwise have a personal relationship with a subordinate employee. For this section, a "supervisor" is defined as a City employee

who either directly or indirectly can influence, control, promote, assign work to, discipline or otherwise affect the employment of another employee of the City. In the event a supervisor has been found to have violated this section, the supervisor and the subordinate employee may be subject to the entire range of discipline under these policies, up to and including termination from employment.

Section 4.10 Conflict of Interest

An officer or employee of the City will have neither financial interest in the profits of any contract, service, or other work performed for the City nor derive personal profit directly or indirectly from any contract, purchase, sale, or service between the City and any person or company except to the extent and in the manner authorized by Chapter 171 of the Texas Local Government Code.

An officer or employee may not:

- Solicit, accept, or agree to accept a financial benefit, other than from the City, that which might tend to influence his or her performance of duties for the City or that he or she knows or should know is offered with intent to influence the employee's performance. However, this prohibition does not apply to the acceptance of a non-monetary gift with a value of no more than fifty dollars (\$50.00), products or items to be used in an officially recognized activity of the City of Venus or department-sponsored services.
- Accept employment or compensation that might induce him or her to disclose confidential information acquired in the performance of official duties.
- Accepting outside employment or compensation might tend to impair independence of judgment in the performance of duties for the City.
- Make any personal investment that might be expected to create a substantial conflict between the employee's private interest and duties for the City; or
- Solicit, accept, or agree to accept a financial benefit from another person in exchange for having performed duties as a City employee in favor of that person.

Contracts

Specifically, regarding contracts, no officer or employee of the City who exercises any functions or responsibilities in the review or approval of an undertaking or the carrying out of one of the City's contracts shall participate in any interest in the contract except to the extent and in the manner authorized by Chapter 171 of the Texas Local Government Code.

Section 4.11 Criminal History

As a condition of employment, all employees must consent to a criminal background check.

Further, all employees are required to notify the Human Resource Director, in writing, of any Class B misdemeanor or higher or felony arrest, charge, indictment, conviction, deferred adjudication, or a plea of nolo contendere, whether related to on-duty or off-duty conduct, immediately. Employees who do not drive as part of their job duties with the City are not required to report misdemeanor traffic violations. An employee who fails to timely report any events described herein may be disciplined up to and including termination.

While charges are pending, the City Administrator/Manager will determine whether the employee will remain in his or her current position, be placed on administrative leave (with or without pay), transferred, demoted, or released from City service.

An employee charged or indicted for a felony or misdemeanor or accused by information of official misconduct or other serious criminal violation, may be placed on administrative leave (with or without pay) until the charge, indictment or information is dismissed or fully adjudicated without trial, and if tried, until the trial and appeal (if any) are completed, and all related administrative matters are concluded.

In most instances, however, the City will conduct its own investigation and take appropriate action before the matter is fully adjudicated. The City Administrator/Manager will make such a determination. An employee on administrative leave may be reinstated to the position held before being placed on administrative leave (if available) without loss of benefits if the indictment or information is dismissed, the City finds the charges to be without merit, the employee is acquitted, or the conviction is reversed on appeal.

In the hiring process, no criminal background check will be made until a conditional offer of employment has been made and accepted by the candidate.

A criminal conviction will be evaluated, and the following factors will be considered when determining what, if any action will be taken regarding employment:

- The nature of the crime and its relationship to the position.
- The time since the conviction.
- The number (if more than one) of convictions.
- Whether hiring, transferring, or promoting the applicant would pose an unreasonable risk to the City, its employees, its citizens, and its vendors.

Section 4.12 Employee Access to Personnel Records

Personnel records, except medical records and I-9's, are maintained in the Human Resource Department. Medical records are kept in a separate confidential file, and I-9's are kept collectively in a separate file maintained by the Human Resource Department.

Under normal circumstances, a current employee or their representative may examine the employee's personnel file upon written request and appropriate scheduling by the Human Resource Department for such review during normal working hours at the City of Venus offices. The City of Venus reserves the right to refuse an employee access to their file. An employee may request copies of items or materials from their file but may not remove any documents or other information from the personnel file.

When a supervisor or department head requires access to the official personnel file of an employee under his or her supervision for the handling of personnel matters, the Human Resource Department will provide access to the specific file(s) after authorization has been obtained from the City Administrator/Manager. The Human Resource Department shall keep a record of instances in which supervisors and others have had access to personnel files.

An employee's official personnel file may contain at least the following:

- Employment records.
- A copy of the employee's application for employment/resume.
- A copy of the employment offer and letter of acceptance, if applicable.
- A signed copy of the employee's acknowledgment of having received and reviewed a copy of the Personnel Policies, including the City's "Alcohol and Drug Abuse Policy."
- Employee's job description(s).
- Election to Disclose or Keep Confidential Home Address, Home Telephone Number, and Social Security Number Form.
- Personnel Action Forms.
- Records of any citations for excellence, awards for superior performance, or job-related training/education.
- Records of disciplinary action(s).
- Performance evaluations.

Section 4.13 Employee Responsible for Updating Information

Employees are responsible for informing the City of Venus and their supervisors of any changes or corrections to information recorded in their personnel file, such as home address, telephone number, person to be notified in case of emergency, or other pertinent information such as divorce or birth of a child, etc.

Section 4.14 Verification of Eligibility to Work

To comply with the Immigration Reform and Control Act of 1986, each new employee must complete and sign an INS Form I-9 within three days of their first day of employment to provide proof of their identity and employment eligibility. If the I-9 form and required proof of eligibility are not provided within the first three days of employment, the employee will not be allowed to continue working and is subject to immediate termination.

Article V. Work Week, Pay Schedule, Hours

Section 5.01 Payday

All City employees are paid on a bi-weekly schedule, with a total of twenty-six (26) pay periods each calendar year. The workweek normally begins at 12:01 a.m. on Wednesday and ends at midnight the following Tuesday. The pay period is a biweekly period that begins at 12:01 a.m. on Wednesday and ends 14 days (about 2 weeks) later on Tuesday at midnight. In the absence of reliable and up-to-date software, employee timesheets will be submitted to the Human Resource Department no later than 10:00 a.m. on the Tuesday before the payroll is issued. If an employee subject to overtime requirements of the FLSA accrues time during the pay period after payroll is submitted, adjustments will be made the following pay period. If the date on which the checks are issued falls on a holiday or weekend, checks will be issued on the last working day preceding the holiday or weekend.

Section 5.02 Wage Delivery

Payment of wages will not be issued/deposited other than on the days set out above without the City Administrator/Manager's approval.

Wages are direct deposit. A check stub showing earnings and deductions will be distributed to individual employees by their supervisors in a manner determined by the City Administrator/Manager. Only the employee or someone with prior written authorization from the employee may receive the check and/or check stub in person.

No loans against future salary will be made to any employee for any reason.

Employees must bring any discrepancy in their paychecks (such as overpayment, underpayment, or incorrect payroll deductions) to the Human Resource Department's attention immediately. If an employee does not understand how to figure their pay or read their check, help should be sought from the supervisor or the Human Resource Department. Failure to report any discrepancy may result in disciplinary action. In addition, overpayment will be reimbursed to the City through payroll deduction (Appendix C).

Section 5.03 Classification Plan/ Pay Schedule

The City of Venus will, within its financial capability, provide equitable compensation for all employees in the form of pay and benefits. Salary and wage increases may be based on performance and the employee's contributions to the overall mission of the City.

All City pay ranges and job relationships may be reviewed annually. The City Administrator/Manager may recommend blanket changes in the compensation plan to adjust salaries for individual positions as it is necessary to keep the compensation plan current and competitive with other employees of the same personnel class. Recommended changes in the compensation plan will be included in the annual budget and become effective upon City Council approval. The City Administrator/Manager reserves the right to determine if the changes can be applied based upon budgetary realities.

Section 5.04 Additional Types of Pay

(a) Longevity Pay

All regular full-time employees of the City will receive longevity pay based on tenure with the City as outlined below.

Tenure	Base Pay	Per Month Employed
Less than 1 year	\$50	\$0
1-5 years	\$100	\$2
6-10 years	\$150	\$3
11+ years	\$200	\$4

Longevity pay is subject to annual budget availability and will be paid on the first paycheck in December.

Section 5.05 Payroll Deductions

The following deductions made from employees' paychecks are either required by federal or state law or approved and authorized by the City Council:

- Required federal/state deductions;

- Federal Social Security and/or Medicare;
- Federal income taxes;
- Court-ordered child support;
- Texas Municipal Retirement System contributions (participation is mandatory).
- The portion that is not paid by the City of group health/medical and life insurance premiums for dependents and other approved insurance policies.
- Other such deductions may be authorized by the City Council or the City Administrator/Manager.

If there is a change in the employee's family status, address, or any other factor affecting his or her payroll withholding or benefits status, the employee is responsible for obtaining, completing, and returning to the payroll department the appropriate forms for communicating the changes.

Section 5.06 Administrative Work Period – Most Departments

The official work period for employees is seven days beginning at 12/01 a.m. on Monday and ending seven calendar days thereafter. Normal working hours for non-public safety employees are Monday through Thursday, 7:30 a.m. to 5:30 p.m., for 40 hours (about 3 days) per workweek.

A morning and an afternoon break of 15 minutes each may be available to an employee if the break does not interfere with City operations, but this time does not accumulate if not taken, and this time cannot be used to alter an employee's work hours. Breaks are a privilege and not to be abused.

Police and Fire Department hours and schedules shall be established by the City Administrator/Manager, following meaningful consultation with the Police and Fire Chiefs, respectively.

Section 5.07 NUMBER OF HOURS TO BE WORKED

The City Administrator/Manager determines the number of hours worked by an employee for the compensation to be received subject to laws governing pay and working hours and to the provisions of the City's budget.

Section 5.08 Exempt Employees

Department heads and other executive, administrative, and professional employees are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and are expected to render necessary and reasonable overtime services with no additional compensation. The salaries of these positions are established with this assumption in mind. City employees who are in exempt positions most often qualify under the executive, administrative, or professional exemption, or a combination of these exemptions. To qualify for any of these exemptions, employees must be paid a minimum of \$684 weekly, which annualizes to \$35,568 per year.

Employees engaged in seasonal activities (such as recreational activities which do not operate for more than seven months in any calendar year) are exempted from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) as recreational, seasonal employees.

Section 5.09 Time Reporting (Electronic Timekeeping)

Utilizing the existing or new timekeeping system as provided by the City, non-exempt employees must keep records of all hours worked, leave time taken, and/or overtime, and, where appropriate, hours credited to projects.

Forms for this purpose are provided by the City. Therefore:

- Never permit anyone except your immediate supervisor to alter your time record.
- Enter your starting and quitting times each day; never wait until the end of the week.
- Enter all hours worked; never work “off the clock.”
- Do not start work early or continue working beyond the normal quitting time unless your supervisor or departmental policy has expressly authorized you to do so.
- After your timesheet has been completed, check it over carefully, and then sign your name to it as certification that the total hours shown are correct

An employee found to be misrepresenting actual hours worked, or who works non-scheduled overtime without authorization, is subject to disciplinary action, up to and including termination.

Both the employee and the employee’s direct supervisor must sign time records.

Each supervisor is responsible for ensuring that all hours worked and leave time taken are reported on the time records sent to the Human Resource Department no later than Monday of the pay week.

Section 5.10 Overtime Compensation

Non-exempt employees are compensated for overtime worked (defined as more than 40 hours of work in seven days) by being given (listed in order of the City's policy preference):

- Payment at the rate of one and one-half times the employee's regular hourly rate; or
- Compensatory time off may be taken instead of being paid overtime if approved by the Department Head.

Section 5.11 Overtime Worked

The policy of the City is to keep overtime to a minimum. However, employees may be required to provide services in addition to normal hours or on weekends or holidays. Overtime is defined as hours worked more than the allowable number of hours under the Fair Labor Standards Act (FLSA). In the City, this is 40 hours per seven-day workweek for all employees, except police (80) and fire department (106) personnel.

In the event of an emergency, such as a natural disaster, other weather conditions, or personnel shortages, employee(s) may be required to report to duty or to be available for duty throughout the emergency. The emergency may be of short- or long-term duration. Employees who are called back to work in emergencies shall be compensated under established overtime and recall policies.

Section 5.12 Compensatory Time

Under the Fair Labor Standards Act (FLSA), the City may grant non-exempt employees compensatory time off (comp time) instead of compensation for hours worked over 40 hours (about 3 days) a week. Department heads may use compensatory time sparingly to better manage their departments. If compensatory time is granted:

- Non-exempt employees may accrue compensatory time off at one and one-half times the number of overtime hours worked up to a maximum of eighty (80) hours. Compensatory time balances are carried over from year to year.
- Any compensatory time earned should be used within six months of the date it is earned.
- If an employee has substantial compensatory time on the books and has not requested time off, the City Administrator/Manager may require the employee to take time off to reduce the balance in the employee's compensatory time account, provided that the City's work can be accomplished without the employee during that time.

- In addition, if an employee requests other leave time off for any reason other than illness and that employee has compensatory time on the books, the requested leave must be charged to compensatory leave, unless or until the balance is depleted, before vacation or other leave may be used.

Section 5.13 Overtime and Leave or Holidays Taken

This section applies to a full-time regular employee who is subject to the overtime provisions of the FLSA and is required to work overtime during a week when he/she has used medical leave, vacation leave, or any other type of released time (including holiday time off).

For the extra hours, the employee will be either paid at straight time of the extra hours worked or given hour for hour time off. However, if the extra hours worked are more than the number of leave time hours taken, the employee will be compensated at one and one-half (1.5) times the regular rate of pay for the number of extra hours worked above the number of leave hours taken.

Section 5.14 “Standby/On-call Time”

Employees in some departments may be designated by their supervisors to serve on-call for a specific period.

Whenever non-exempt employees are physically called back to work after their shift has ended, they will be paid for two (2) hours or actual time worked whichever is greater. Actual time worked will be compensated for fifteen (15) minutes home to work; and fifteen (15) minutes work to home.

Non-exempt employees will only be paid overtime work or receive compensatory time for hours worked over forty (40) hours per work week, or eighty (80) hours for sworn police and one hundred and six (106) for sworn fire personnel, per pay period.

Employees who do not have a City vehicle or car allowance will be eligible for mileage reimbursement when they respond in their personal vehicle.

Non-exempt employees who respond to telephone calls, emails, and/or text messages outside of scheduled work hours (regardless of whether the employee is “on-call” as defined above) are required to track such responses on a Call Log. Submission of the Call Log to the employee’s supervisor must be compensated for such time. If the employee does not turn in a form at the pay period's end, it is assumed that they did not perform any work outside of designated work hours.

The total combined time of such responses at the end of the seven-day work period will be rounded up to the next 15-minute increment (15 or less rounds up to 15 minutes, 16-30 minutes rounds up to 30 minutes, etc.)

Section 5.15 WEATHER EMERGENCIES/DISASTER DECLARATIONS

It is the City's policy that during inclement weather, natural or human-caused disasters and other public emergencies, each City employee is an essential employee necessary to provide for the safety and well-being of the public. Each City employee is expected to report to work and remain at work until released by a supervisor.

(a) City Facilities Assumed Open

In the case of a weather emergency, (e.g., snow, ice, or other weather event), a disaster, or other emergency on a workday, and unless a closing is announced in advance of reporting time, City personnel are required to report to work as usual unless the emergency conditions make it impossible to report safely to duty.

If City facilities are not closed and if weather or other emergency conditions make it impossible for an employee to report to work, the employee must notify his or her supervisor as soon as possible that the employee finds it impossible to report to duty safely. Time absent may be charged to available vacation, compensatory time, personal time, or leave without pay.

(b) Closing of City Facilities

In the case of a weather emergency (e.g., snow, ice, or other weather event), disaster, or other emergency on a workday, the City Administrator/Manager is authorized to designate the closing of City facilities. The City Administrator/Manager or designee is responsible for initiating the process of contacting employees. If City facilities are closed, City personnel who are not required to work that day will be paid for the actual time or day(s) that the City was officially closed.

- If an official City facility closing for weather or other emergencies occurs during an employee's scheduled vacation or personal day, that day will not count against the employee's vacation or personal leave balance.
- Eligible emergency service personnel required to report to work shall receive compensatory time in accordance with Section 5.12.
- If an employee is required to report to work and the City Administrator/Manager or department head sends the employee home because of inclement weather or other emergency, the employee will be given credit for a full workday.

(c) Required Work During an Emergency

The City Administrator/Manager may require employees to work during an emergency or disaster regardless of whether City facilities are open or closed and regardless of the extent or duration of the emergency. Employees may be required to provide services to protect the public's health and safety and to assure the continuation of, or recovery of, normal City business processes. An employee who refuses a directive from the City Administrator/Manager or a department head to report to work for all or part of an emergency period is subject to discipline by the City, up to, and including termination.

Article VI. EMPLOYEE BENEFITS

Section 6.01 Retirement Plan

The City of Venus is a member of the Texas Municipal Retirement System (TMRS), a non-traditional, joint contributory, defined contribution plan. Retirement system membership is mandatory for all regular full-time employees (defined by TMRS as one who works over 1,000 hours (about 1 and a half months) per year). Both the employee and the City contribute to the employee's retirement account by way of deduction from the employee's paychecks at the rate of seven (7) percent of the employee's gross pay each pay period. The City matches employee contributions and interest on a 2-to-1 basis (two City dollars for every one employee dollar).

During your employment with a TMRS participating city, you contribute into a TMRS account, and each year TMRS applies 5% interest to your account balance. When you stop working for a TMRS participating city, you can either:

- leave your account balance with TMRS, where it will continue to earn interest, or
- refund your personal contributions and the interest credited to your account. Your refund does not include any city matching funds.

Employees who have been employed for five (5) years or more, "vested" employees, may leave their accumulated contribution in the Retirement System when their employment with the City ends, remain members of the Retirement System, and upon reaching age 60, apply for a service retirement benefit. An employee will not, however, receive the City's matching contributions unless the member reaches retirement eligibility and applies for a service retirement benefit.

Death Benefit

As a member of the Texas Municipal Retirement System, the City of Venus has elected to provide death benefits to its eligible active regular employees participating in the retirement system. The death benefit, paid to the designated beneficiary of a covered member/employee, is approximately that members current annual salary.

Additional information about retirement is contained in Article 13, Separation from Employment chapter of these policies.

Section 6.02 Worker's Compensation

All employees of the City are covered by the workers' compensation insurance program and the City pays the premium. This coverage provides medical and salary continuation payments to employees who receive bona fide, on-the-job, work-related injuries. Detailed information about workers' compensation benefits is found in the sections of these policies in Article 11, Health, and Safety.

Section 6.03 Unemployment Insurance

All employees of the City are covered under the Texas Unemployment Compensation Insurance program, and the City pays for this benefit. This program provides payments for unemployed workers who qualify based on the circumstances of their exit from the City.

Section 6.04 Social Security

Social Security covers employees of the City. The City also contributes to the Social Security system for each employee.

Section 6.05 Medical and Life Insurance

The City is committed to providing cost-effective benefits, which assist employees in being physically and mentally healthy. The benefits and services offered by the City may be changed or terminated at any time upon approval of the City Council and do not constitute a guarantee of continued employment with the City.

Benefits are accompanied by eligibility requirements which must first be met by the employee and dependents (if applicable) before being able to be covered. (What are they?) The provisions of and eligibility for the numerous benefits are governed by each Plan instrument which may be a Plan document or certificate of coverage, or both. With respect to medical dental and vision coverage, life insurance, employee assistance and wellness programs, the definition of eligible dependent may vary from plan to plan.

(a) Medical Coverage

The City may offer, if economically feasible, medical coverage for eligible employees and their eligible dependents. Medical insurance may be offered for purchase by the employee and subsidized by the City at a level approved by the Council annually.

Monetary compensation for replacement of insurance benefits is not offered by the City of Venus. If an employee declines the insurance, no monies will be paid nor other benefits substituted to the employee.

Coverage elections are made annually. Once made, the coverage cannot be changed or terminated unless a qualifying life event takes place. This would include the birth or adoption of a child, marriage or divorce, a spouse's loss of health coverage, or the death of a covered family member. Qualifying events must be provided to the Human Resource Department within 30 days of the event to make the change.

(See section 13.10, Continuation of Group Insurance for information on continued coverage after certain status changes.)

(b) **Dental Coverage**

The City may offer, if economically feasible, a dental assistance plan for eligible employees and their eligible dependents. Dental coverage may be offered for purchase by the employee and may be subsidized by the City at a level approved by the Council on an annual basis.

(c) **Vision Coverage**

The City may offer, if economically feasible, a vision assistance plan for eligible employees and their eligible dependents. Vision coverage may be offered for purchase by the employee and may be subsidized by the City at a level approved by the Council on an annual basis.

Section 6.06 Miscellaneous Benefits

As with the health-related benefits, the miscellaneous benefits and services offered by the City may be changed or terminated at any time upon approval of the City Council and do not constitute a guarantee of continued employment with the City.

(a) **Life Insurance**

The City may offer, if economically feasible, basic life insurance to eligible employees to help them protect their family in the event of the employee's death. Basic life insurance may be offered for purchase by the employee and subsidized by the City at a level approved by the Council annually. In addition to the basic life insurance, the City may offer eligible employees the opportunity to purchase supplemental life and accidental death and dismemberment insurance on themselves and dependent life insurance on their eligible dependents.

(b) **Short- Term Disability**

The City may offer, if economically feasible, Short-Term Disability (STD) coverage to eligible employees to provide them with a portion of their salary when they are unable to work due to an off-the-job disability. Short-term disability insurance may be offered for purchase by the employee and/or subsidized by the City at a level approved by Council annually.

(c) **Long -Term Disability**

The City may offer, if economically feasible, Long-Term Disability (LTD) coverage to eligible employees to provide them with a portion of their salary when they are unable to work due to a disability. Long-term disability insurance may be offered for purchase by the employee and/or subsidized by the City at a level approved by the Council annually.

(d) **Deferred Compensation**

The City may make available a deferred compensation program. The Deferred Compensation Program is a voluntary, tax-deferred program designed to help supplement eligible employees' income at retirement. Through this program, eligible employees may designate an amount to be deducted from their gross salary on a before-tax basis each pay period and placed in an investment account selected by the employee.

(e) **Employee Assistance Program**

The City may offer, when economically feasible, an Employee Assistance Program (EAP). This program is a professional, confidential counseling service available to help eligible employees and eligible dependents resolve personal problems.

Section 6.07 Supplemental Insurance

Employees may be allowed to participate, at the employee's expense, in insurance policies provided by other carriers. Deductions are made by payroll deduction, and it is solely funded by employee contributions. Information regarding these programs is available from the Human Resource Department.

The City reserves the right to eliminate the administration of these options. In such cases, the employee would have to pay the provider directly.

Article VII. LEAVE AND HOLIDAY BENEFITS

Section 7.01 Definitions

(a) Leave Time

Leave time is during normal working hours in which an employee does not perform job duties. Leave time may be either paid or unpaid and may include holidays, vacation leave, medical leave, military leave, training, and education leave or other types of leave time under certain circumstances.

(b) Unauthorized Absence

An unauthorized absence is one in which the employee is absent from regular duty without the department head's permission. Employees are not paid for unauthorized absences, and such absences are subject to disciplinary action.

(c) Abandonment of Position

An unauthorized absence from work for a period of three consecutive working days will be considered as a voluntary resignation. Unless the City Administrator/Manager determines otherwise, the resignation is not in good standing, and the employee is not eligible for reemployment.

Section 7.02 Approval of Leave

All leave taken by City employees must be approved in advance by the employee's supervisor or the City Administrator/Manager. Copies of signed leave forms are sent to the Human Resource Department for recording on the central leave records. Payroll records are verified against these leave records.

The Human Resource Department is responsible for determining that leave has been accrued and is available for use in the amounts requested by an employee. In addition, the Human Resource Department is responsible for ensuring that all vacation and medical leave usage is recorded on the time record for payroll purposes. The Human Resource Department will make proper adjustments before the last day of the next pay period.

Section 7.03 Vacation Leave

All regular full-time City employees are eligible to accrue paid vacation leave from date of hire. After the completion of the three (3) months of employment, vacation leave will be credited to all full-time employees' accounts. Vacation leave will not be paid upon termination of employment (voluntary or involuntary), during the first year of employment.

Vacation Leave Accrual Rates:

Tenure	Monthly Accrued Hours	Annual Hours Accrued	Annual Hourly Cap
1-2 years	6.67	80	160
3-4 years	10.00	120	180
5-9 years	11.67	140	200
10+	13.33	160	220

Example: John has been with the City for 18 months (about 1 and a half years). He is considered in his 2nd year of service. During his 1st and 2nd years of service, he accrues vacation leave at the rate of 6.67 hours per month. Starting on the 1st day of his 3rd year of service, he begins accruing vacation hours at 10.00 per month.

All regular full-time employees shall start accruing vacation leave time from the hire date. To accrue vacation leave time for the month, the employee must be hired on or before the 15th day of the month and be in active pay status for at least half the month. Unused vacation hours may be carried over from the previous year. Total vacation hour caps are outlined in the chart above.

Employees shall not accrue any hours above the annual hourly cap.

Example: John has been with the City for 2 ½ years. He is considered in his 3rd year of service. His annual hourly cap is 180 hours (about 1 week). If John reaches his annual cap, he will not be eligible to accrue any additional hours beyond the cap and must utilize vacation leave before beginning to accrue additional hours.

Vacation leave is available for use after ninety (90) days (three months) of continuous full-time employment.

Temporary employees (full-time or part-time) and regular part-time employees do not earn vacation leave.

(a) Payment for Unused Vacation Leave at Separation

When a regular full-time employee leaves the City service, he/she will be paid for any earned but unused vacation time in his/her vacation leave account. Vacation leave time will be considered accrued on the 15th of each month for inactive status and separation calculations. The rate of pay will be determined by the salary rate in effect at the time of separation.

(b) Scheduling Vacation Leave

Supervisors should encourage their employees to schedule vacations and request leave well in advance. Vacation schedules must accommodate the City's work

schedule; supervisors are responsible for establishing vacation schedules for employees in their departments.

Provided departmental workloads will permit, employees should be allowed to select their desired vacation periods. If there is a conflict in vacation schedules involving two or more employees, the first employee requesting vacation time shall get preference. However, to ensure equity and fairness, if an employee receives preference for a previous request, that employee shall not receive preference for their following two (2) requests.

If the desired leave schedules conflict with City requirements, the City's requirements are given first consideration. Employees that submit their request within less than 48 hours may be denied their request.

A vacation leave request over ten (10) working days must be submitted by the employee at least three weeks in advance and approved by the City Administrator/Manager.

(c) Use of Vacation Leave

Regular, full-time employees are charged with eight (8) hours of vacation leave for each full day they are absent on approved vacation leave (twenty-four (24) for Fire Department personnel). Use of vacation leave for less than full day(s) or full shifts is recorded in increments of one hour or more. All regular employees that have not accrued vacation or have exhausted all vacation for the current year, which need time off, shall apply for an Unpaid Leave of Absence.

Vacation leave may not be used repetitively to adjust one's permanent work schedule/shift. Vacation leave shall not be transferred from one employee to another. Vacation leave may not be used by any employee who is unable to work due to a work-related injury and is receiving full workers' compensation benefits.

If a paid holiday falls within an employee's approved vacation period, the employee will not be charged a vacation day for the holiday. Also, if an employee becomes ill while using vacation leave, vacation leave may be converted to medical leave but will require a licensed physician's written statement to confirm the illness.

Vacation leave pay will not be advanced.

Section 7.04 Medical Leave Policy

An employee with accrued medical leave may use it if the employee is absent from work due to:

- Personal illness, physical or mental incapacity.
- Medical, dental, or optical examinations or treatments.
- Medical quarantine resulting from exposure to a contagious disease.
- Illness of a member of the employee's immediate family requires the employee's personal care and attention. For this purpose, immediate family is defined as the employee's spouse, child (ren), or any other relative of the employee who resides in the employee's household and requires the employee's personal care and attention. The City Administrator/Manager can make exceptions to this definition in the cases of other persons considered family by an employee.

(a) Accrual of Medical Leave

Regular full-time employees of the City of Venus earn medical leave as follows:

- Upon employment at a rate of 6.67 hours per month.
- Accrued medical leave is available for use after thirty (30) days of continuous employment.

(b) Notification Requirements

Approval of medical leave for non-emergency medical, dental, or optical appointments must be secured at least one workday in advance. In all other instances, the employee must notify his or her supervisor by phone, email, or text, one (1) hour prior to their normally scheduled workday, unless emergency conditions exist, and must request that approval of medical leave be granted. In the case of an emergency, the employee or a designee should notify the City as soon as possible.

The employee – or, in emergencies a designee – on medical leave also must call the supervisor each subsequent day he or she will be out on medical leave unless other arrangements are made.

Failure to provide the required notice may result in the employee being placed on leave-without-pay status and may result in disciplinary action against the employee. Employees are expected to return to work as soon as they no longer need to take medical leave.

Full-time employees must notify their Department Head and the Human Resource Department if they will be out for over three (3) days so that Family Medical Leave processes can be started for the absence.

(c) Use of Medical Leave

Regular, full-time employees are charged with a regular workday of medical leave for each full day they are absent on approved medical leave. The number of hours charged will be equal to the normal number of hours the employee works in their

position. (e.g., 8-10 hours for non-public safety, 10-12 hours for police, 24 hours for fire department personnel). Time records provided by each department to the Human Resource Department must reflect use of medical leave.

A non-exempt employee may take earned medical leave in increments of one hour or more. For employees exempt from FLSA under the executive, administrative, or professional categories, medical leave must be taken in increments of 4 hours or full days.

Medical leave cannot be used for vacation purposes when vacation leave is exhausted. Also, medical leave may not be taken by any employee who is unable to work due to a work-related injury and is receiving worker's compensation benefits.

Excessive use of medical leave without adequate justification may result in disciplinary action, including dismissal.

(d) Medical Statement

After an employee has used three or more consecutive days of medical leave, the employee will be required to furnish written verification by a physician of medical disability precluding availability for duty at any time that medical leave benefits are requested. When a medical statement is requested, the department head will counsel the employee about the absence, explain the reason(s) for requesting the medical statement, and will document the request and reason(s). This document will be retained in the employee's confidential medical file.

An employee who has been absent because of illness or injury may be required to submit to an examination by a City approved licensed physician or health care provider at the City's expense to return to work. In such cases, the employee may return to work upon approval of the City's examining physician or the health care provider. Authorization for disclosure of all reports to the City, including contacting and discussing health-related issues with the City's physician or health care provider, shall be a condition of continued employment with the City. The City also may require employees to return to a physician or health care provider for additional evaluation or information.

(e) Accumulation of Medical Leave

Accrued medical leave has no monetary value. As such, there is no accrual cap for medical leave. Upon termination of employment, unused medical leave is canceled without compensation to the employee

(f) Exhaustion of Medical Leave

An employee who has exhausted accrued medical leave benefits may request to use accumulated vacation or other paid leave or may request leave of absence without pay. This may be done only with the approval of the City Administrator/Manager. No advance of unearned medical leave benefits will be made for any reason.

(g) Sick Leave Time Donation

Sick leave may be contributed from one employee to another for illness, injury, exposure to contagious disease, or routine medical or dental appointments which cannot be scheduled outside of working hours.

- Sick leave may not be transferred from one employee to another within (fourteen) 14 days (about 2 weeks) of separation from employment of either employee, whether by retirement or discharge.
- Employees must have accrued over 80 hours of sick leave to be eligible to transfer hours to another employee, and employees opting to transfer must have a balance of 80 hours left in their sick leave after the transfer.
- The Human Resources Department will notify all employees when a request is made for Sick Leave and will provide the donation form.
- The donations will not be processed until the eligible recipient employee has used all hours of their accumulated leave. The employee will only be given the hours for each payroll period as needed. Hours donated must be used when donated and may not be accumulated for future use. Donated hours will be deducted in equal amounts as needed. Only one request for donations is allowed per occurrence.

Section 7.05 Family & Medical Leave Act (FMLA)

(a) Eligible Employees

To be eligible for family leave, an employee must have been employed continuously by the City of Venus for at least the previous 12 months and have worked at least 1,250 hours during those 12 months in a regular position and be employed at a work site that has 50 or more employees within a 75-mile radius. This policy applies equally to male and female employees. Temporary employees are not eligible for family leave.

(b) Eligible Circumstances

An eligible employee is entitled to 12 unpaid workweeks in any 12 months for three reasons: (1) birth or placement for adoption or foster care of a child (only within 12

months of the birth or placement); or (2) a serious health condition of a spouse, child, or parent; or (3) the employee's serious health condition.

(c) Limitations/Restrictions

Leave may be taken on an intermittent or reduced basis for the birth or adoption of a child if the arrangement is agreed to by the City. However, leave for serious health conditions – either an eligible family member of the employee or the employee – may be taken intermittently or on a reduced schedule if medically necessary, provided the other conditions of these policies are met.

(d) Maximum Duration

The total cumulative maximum period which an employee may be absent from work on family leave during any 12-month period is 12 weeks (about 3 months), regardless of whatever all or a portion of the leave period is paid or unpaid. If an employee has accrued medical, vacation, or personal leave on the books at the time the family leave commences, the employee must exhaust those leave balances before being eligible for unpaid family leave. Once the employee's leave balances have been exhausted, the City will then provide enough unpaid family leave to a total of 12 weeks (about 3 months). During the unpaid portion of an employee's family leave period, the employee accrues no additional vacation leave, medical leave, or any other type of leave.

(e) Married Couples

In cases where a married couple is employed by the same City, the two spouses together may take a combined total of 12 weeks (about 3 months) leave during any 12 months to care for the employee's natural child or foster/adopted child during the first 12 months after birth or placement or to care for a spouse, son, daughter, or parent with a serious health condition.

(f) Notice

In the case of leave for birth or placement of a child, an employee must provide at least 30 days (about 4 and a half weeks)' advance notice before the date on which the leave would begin. If the employee is unable to provide 30 days (about 4 and a half weeks)' notice, he or she must provide as much notice as practicable. In the case of leave for a serious medical condition, if the leave is foreseeable, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt the City's operations.

(g) Certification of Condition

An employee requesting a paid or unpaid leave of absence for extended illness or temporary disability must submit to the City Administrator/Manager a medical doctor's statement as to the date upon which the employee is no longer able to perform his or her duties or a statement that the employee is needed to care for a spouse, parent, or child, with the expected length of the recuperation period or an estimate of the time required to care for the family member, and appropriate medical facts regarding the condition. In addition, the employee must also provide the City Administrator/Manager with a written statement from the employee concerning his or her intentions about returning to work with the City. An employee on family leave must contact the appropriate supervisor at least once each workweek to report on his or her condition. The City may also require subsequent re-certifications as reasonably needed. Failure to provide required medical status reports is grounds for disciplinary action.

(h) Military Family Leave: Qualifying Exigency Leave

Employees meeting the eligibility requirements for this leave may be entitled to use up to 12 weeks (about 3 months) of their basic FMLA leave for a qualifying exigency while the employee's spouse, son, daughter, or parent (the military member or member) is on covered active duty or call to covered active-duty status (or has been notified of an impending call or order to covered active duty).

(i) Regular Armed Forces- Military Family Leave: Leave to Care for a Covered Service Member

Permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks (about 6 months) of leave during a single 12-month period if the employee is the spouse, son, daughter, parent, or next of kin caring for a covered military service member or veteran recovering from serious injury or illness as defined by FMLA's regulations.

Return to Work/Assurances

After completion of an approved family leave period, an employee will return either to the same position he or she held before the leave began or to a position equivalent to the previously held position in pay, benefits, and other terms and conditions of employment. Regardless of whether the family leave period is paid, unpaid, or a combination of paid and unpaid, the employee's health insurance coverage will be continued in the same manner and at the same level as it would have been had the employee continued in employment for the duration of the family leave period.

However, should the employee decide, at any time after family leave begins, that he or she will not return to work at the City, the employee must reimburse the City for

health coverage premiums paid by the City on behalf of the employee during the family leave period unless the reason for not returning to work is the continuation, recurrence, or onset of a serious health condition, or something else beyond the employee's control.

(j) Retention of Benefits

An employee on family leave does not lose any previously accrued seniority or employment benefits but does not earn any leave credits or other benefits during the unpaid portion of the leave. After returning to work from family leave, an employee receives an adjusted employment date and adjusted anniversary date which reflects the period the employee was on unpaid family leave. The adjusted date will be used to calculate leave accrual and any other benefits based on longevity.

(k) Summary of Act

The City has posted a summary of the Family and Medical Leave Act on a central bulletin board for employees' information.

(l) Request for Extension of Family and Medical Leave

If an employee requests additional unpaid leave beyond the 12-week maximum allowed under the family and medical leave provisions of these policies, any extension granted will be under the terms set out in the section of these policies headed Other Leaves of Absence Without Pay. Employees should read the referenced section carefully and understand the differences between these two types of leaves before requesting an extension.

(m) Documentation

All documentation regarding family leave will be filed in the employee's medical file, which is maintained separate from the personnel files, and which will be kept confidential to the extent allowed by law.

Section 7.06 Unpaid Leave of Absence

Under certain circumstances, employees may need to be temporarily released from the duties of their job assignment for reasons not covered by FMLA or when FMLA/Medical Leave has been exhausted. Leave of absence without pay is an approved absence from duty in a non-paid status. Such leave is not authorized unless there is a reasonable expectation that the employee will return to employment with the City at the end of the approved period; approval of the leave, including approved duration and conditions, must be documented with a copy of the documentation to be placed in the employee's personnel file.

Employees on leave of absence without pay receive no compensation and accrue no benefits. However, previously accrued leave balances, benefits, and seniority are retained during authorized leaves of absence unless otherwise prohibited by the terms or provisions of the benefit programs.

Granting a leave of absence without pay is at the discretion of the City Administrator/Manager. However, the City Administrator/Manager may request that the employee exhaust all remaining vacation, medical and compensatory time before the leave will be deemed unpaid. A full-time regular employee may be granted a leave of absence without pay for a period not to exceed six (6) months.

During an authorized leave of absence without pay, medical insurance can be continued if the employee pays the premiums (including the City's portion) in full in a timely manner. Normally, during a leave of absence the employee must submit any monthly deduction normally taken from his/her paycheck for all insurance plans to continue coverage while on leave. Premium payments must be made to the Human Resource Department by the last day of each month for the duration of the leave of absence.

(a) Requesting Unpaid Leave of Absence

When an employee wishes to take an unpaid leave of absence, he/she must:

- Apply in writing setting forth the reason for the leave;
- Indicate the date on which the leave will begin;
- Indicate the date of return to active employment;
- Submit the request to the City Administrator/Manager for appropriate review, approvals, and filing.

(b) Authorized Reasons for Unpaid Leave.

A leave of absence without pay may be appropriate for the following reasons:

- Military service (see also section on this type of leave).
- Recovery from extended illness or temporary disability (see also section on this type of leave).
- Educational purposes when successful completion will benefit the City.
- Public service assignments; or
- Any other reason which, in the judgment of the City Administrator/Manager, merits a leave of absence without pay.

(c) Return to Work After Unpaid Leave

Upon returning to work after an authorized leave of absence without pay, an employee receives an adjusted employment date and adjusted anniversary date which reflect the period that the employee used for the leave of absence. This adjusted date will be used to calculate vacation leave accrual and any other benefits based on longevity.

The employee may be allowed to return to his/her former job with the City or to a comparable job for which the employee is qualified, depending on the availability of such positions and the City's needs.

An employee granted unpaid leave must physically return to work to retrieve medical credit but will be paid any vacation and/or comp-time leave balance due if employment terminates under the terms of the City Separation Pay Policy.

Section 7.07 Absence Without Leave

An employee failing to report for duty or remain at work as scheduled without proper notification, authorization or excuse shall be considered absent without leave, which constitutes abandonment of duties, and shall not be paid for the time involved.

Absence for more than twenty-four (24) hours from the time an employee's normal work shift begins, without proper notification or without satisfactory reason, shall be considered job abandonment and shall serve as notice of resignation by the employee.

The employee shall be ineligible for payment of accumulated leave.

Section 7.08 Revocation of Leave

Subject to State and Federal requirements, a Medical Leave of Absence and an Extended Medical Leave of Absence paid or unpaid may be revoked by the City upon receipt of evidence that the cause for granting the leave was misrepresented or has ceased to exist. If leave of absence is revoked and an employee fails to return to work, they will be considered to have voluntarily abandoned their position with the City and all benefits will cease.

Section 7.09 Administrative Leave

Department heads may authorize administrative leave without pay.

The City Administrator/Manager may authorize administrative leave with pay when warranted by unforeseen circumstances not otherwise provided for in these policies.

Section 7.10 Military Leave

Regular employees who have completed the probationary period and are members of the State Military Forces or members of any of the Reserve Components of the Armed Forces of the United States are entitled to leave of absence from their duties, without loss of time or efficiency rating, vacation time, or salary on all days during which they are engaged in

authorized training or duty ordered by proper authority, not to exceed fifteen (15) days in any one federal fiscal year. Employees will continue to receive pay from the City during this authorized training.

Military leave over fifteen (15) days will be charged to vacation leave, holiday pay, compensatory time or leave without pay.

Once a request for leave has been received, the supervisor will complete a status change/payroll form indicating the length of the leave. Requests for approval of military leave must have copies of the relevant military orders attached. Confirmation that military duty was performed must be provided by the employee.

Unused military leave does not carry over to the next year.

Regular employees who are ordered to extended active duty with the state or federal military forces are entitled to all the reemployment rights and benefits provided by law upon their release from active duty. Before returning to duty, the employee must provide the City with the appropriate notice and documents specified in the state and federal statutes in effect at the time. (Also, see Sec.7.05 of these Policies.)

The City will abide by the provisions of the Uniformed Services Employment and Re-Employment Rights Act (USERRA) and will grant military leave to all eligible full-time and part-time employees. Military leave will be granted to full-time and part-time employees for a period of four years plus a one-year voluntary extension of active duty (five years total) if this is at the request and for the convenience of the United States government.

As with any leave of absence, employees must provide advance notice to the City Administrator/Manager of the employee's intent to take a military leave and must provide appropriate documentation unless giving such notice is impossible, unreasonable, or precluded by military necessity.

An employee's salary will not continue during a military leave unless required by law. However, an employee may request to use any accrued vacation, compensatory time, or personal leave time during military leave.

Benefit coverage will continue for 31 days (about 1 month) if the employee pays the normal portion of the cost of benefits. For leaves lasting longer than 31 days (about 1 month), an employee will be eligible to continue health benefits under COBRA and will be required to pay 102 percent of the total cost of health benefits if he or she wishes to continue benefits.

Upon return from military leave, an employee will be reinstated with the same seniority, pay, status, and benefit rights that he or she would have had if the employee had worked continuously. Employees must apply for employment within 90 days (about 3 months) of discharge from the military. Employees who fail to report for work within the prescribed time

after completion of military service will be considered to have voluntarily terminated their employment.

If the employee's military service was for less than 90 days (about 3 months), the City will restore the employee to the same job the employee held at the time the leave commenced. If military service was longer than 90 days (about 3 months), the employee will be restored to the same job or a similar job. There are special extensions of time for returning employees who are hospitalized for or convalescing from injuries that incurred during or were aggravated by military service.

If the employee participated in the City's TMRS retirement plan when the military leave commenced, they can make additional contributions to the plan. Employees may initiate these additional payments as of their reemployment date and continue them for the period permitted by law.

If a City employee request extended military leave, the City Administrator/Manager will seek the advice of the City's legal counsel to ensure the City's compliance with both the state and federal laws regarding employees called to military service. Likewise, when an employee returns from military service, the City Administrator/Manager will consult the City's legal counsel to ensure that all rights and privileges of re-employment are provided to the employee.

Upon return from military leave, the City may require a period of retraining and may require the returning employee to complete physical and psychological examinations with medical professionals of the City's choice and paid for by the City.

Section 7.11 Emergency (Bereavement) Leave

Bereavement leave with pay will be allowed to each full-time employee in cases of death of family members. Uses of this leave may include making funeral arrangements and attending funeral services, including travel time.

The following are family members considered for this policy:

Immediate Family	Extended Family
Husband	Step Grandchild
Wife	Father-In-Law
Son	Mother-In-Law
Daughter	Sister-In-Law
Stepchild	Brother-In-Law
Mother	Step Grandparent
Father	Uncle
Brother	Aunt
Sister	Nephew

Son-In-law	Niece
Daughter-In-Law	Cousin
Grandparent	Grandfather-In-Law
Grandchild	Grandmother-In-Law
Stepparent	

For each instance of death in the family all full-time employees may be granted leave by their department head, not to exceed five (5) paid workdays for “immediate family” and three (3) paid workdays for “extended family”. The five-day and three-day length is the option of the department head; it is not automatic. It is assumed that one day is needed to attend funeral services; however, more days may be necessary if funeral planning or travel is involved.

Employees may request compensatory time or vacation time to attend the funeral of individuals not covered in this policy. Employees on unpaid leave status or disciplinary suspension will not receive bereavement leave pay.

Bereavement leave benefits will not be paid for the same time an employee receives holiday pay, medical leave pay, vacation time pay, or any other paid leave benefit. Unused Bereavement Leave does not carry over to the next year. Bereavement leave is paid at the employee’s base rate at the time of absence. It is not counted as hours worked to calculate overtime. No more than five (5) working days may be used for bereavement leave within a calendar year. If an employee’s bereavement leave has been exhausted, he/she may use accrued medical leave, vacation leave or leave without pay.

Employees who wish to take bereavement leave must submit the request to their department head/supervisor immediately and may be required to provide proof of death/funeral/family relationship to support bereavement leave. Department Head/Supervisor may deny bereavement leave requests if this privilege is being abused or misused by the employee.

Section 7.12 Jury Duty/Citizenship Leave

Employees are granted citizenship leave with pay for jury duty, for serving as a subpoenaed witness in an official proceeding, and for voting.

In the case of jury duty and witness duty, the employee must present evidence of the requirement to attend. The employee retains any fees paid by the courts.

When an employee has completed civil leave, he or she must report to the City for duty for the remainder of the workday. If the employee is absent from work for more than one workday on civil leave, he or she must notify the appropriate supervisor daily at the beginning of the workday.

Employees on duty on the date of any national, state, or local election and who are eligible to vote in such elections shall be granted leave without loss of pay or benefits to exercise this right if the polls are not open for voting for two consecutive hours outside of the voter's work hours. The supervisor may require evidence of voter registration and voting. The supervisor may require evidence of voter registration and voting.

Employees are granted citizenship leave with pay for jury duty, for serving as a subpoenaed witness in an official proceeding, and for voting.

In the case of jury duty and witness duty, the employee must present evidence of the requirement to attend. The employee retains any fees paid by the courts.

When an employee has completed civil leave, he or she must report to the City for duty for the remainder of the workday. If the employee will be absent from work for more than one workday on civil leave, he or she must notify the appropriate supervisor daily at the beginning of the workday.

Employees on duty on the date of any national, state, or local election and who are eligible to vote in such elections shall be granted leave without loss of pay or benefits to exercise this right if the polls are not open for voting for two consecutive hours outside of the voter's work hours. The supervisor may require evidence of voter registration and voting. The supervisor may require evidence of voter registration and voting.

Section 7.13 Holidays

- Full-time employees will be granted 80 hours (about 7 days) of holiday leave on January 1st of each calendar year. An additional 10 hours of holiday leave will be granted to each full-time employee as a "floating" holiday that can be scheduled off supervisor approval.
- The City Administrator/Manager is responsible for providing a holiday schedule by October 1st of each year for the following year so employees, the public, and council will be aware which days will be recognized as official city holidays.
- Employees who start work after January 1st will be credited holiday hours in the amount necessary to take off any official city holidays remaining in the calendar year after their start date.
- The Mayor may declare special holidays in addition to these, including partial days (e.g., closing city facilities early). If this occurs, they will be taken according to established procedures. Only regular full-time employees are entitled to receive the benefit of paid holidays.

- Exempt and non-exempt employees will receive eight (8) hours of holiday leave for each of the ten official City holidays.
- Depending on the employees' regular required work schedule, a combination of holiday leave, and other accrued time may be used.
- Holiday leave must be used in hour increments which provide a full day off according to an employee's regular schedule, shift, etc., in effect at the time the holiday occurs.
- It is the City's intent for employees to be off on City approved holidays. However, due to operational needs, employees may be required to work. Holiday leave will be based on Department need and Department Head approval.
- Employees scheduled to work on holidays will be scheduled for another day off as requested and approved by the department.
- In this case only, holidays may be banked for up to one year in a rolling calendar. Department Heads should coordinate with the City Secretary to track Holiday hours.
- Holidays in Conjunction with other leave types:
An employee shall not receive pay for a holiday if he is absent without authorization or uses Sick Leave on the holiday or the working day immediately preceding or following a holiday(s). However, an employee who schedules vacation in advance to be taken in conjunction with the holiday and with the approval of Department Head will be paid for the Holiday(s).

The following guidelines shall govern usage of Holiday Leave:

- All regular full-time employees shall be entitled to all paid holidays.
- If the holiday falls on Sunday, the following Monday shall be observed.

Work During Holidays

It is not always feasible to grant holidays at the scheduled time, especially for employees who are assigned shifts on an "around the clock" operation. With the approval of the City Administrator/Manager or supervisor, some or all employees may be directed to report for work on a holiday. Public safety personnel work holiday schedules as established by their respective department heads.

The City's policy is that each regular employee receives a specified number of paid holidays per year, as outlined in these policies. In a department requiring around-the-clock operation, the City Administrator//Manager or supervisor:

- May approve an alternate day off for the employee if the holiday falls on the employee's regular day off or if the employee is required to work all or any part of a holiday; or
- If a regular full-time employee eligible for overtime pay is required to work on a holiday, they will be paid regular pay plus time and one-half (1.5) additional pay for the holiday hours worked.
- With a few exceptions (e.g., departmental readiness, minimum staffing levels, etc.), approval of the alternate day off shall be deferred to the day(s) requested by the employee.

Holiday During Vacation

If an official holiday falls within a regular employee's vacation, the employee will be granted the holiday and not charged for a day of vacation.

Section 7.14 Paid Quarantine Leave

Under Section 180.009 of the Texas Local Government Code, as amended, Texas political subdivisions, including the City, shall develop and implement a paid quarantine leave policy for fire fighters, peace officers, detention officers, and emergency medical technicians who are employed by, appointed by, or elected for the political subdivision AND ORDERED to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty.

Quarantine leave shall be provided after a Fire Fighter, Peace Officer or Emergency Medical Technician has had a possible or known exposure to a communicable disease while on duty. The Chief of Police or Fire Chief shall allow for the use of paid quarantine leave for the duration of quarantine, all as determined by the City's health authority.

Any employee on paid quarantine leave shall receive all employment benefits, including pension and health plan benefits, and there shall be no reduction in the employee's medical leave balance, vacation leave balance, holiday leave balance or other paid leave balance in connection with paid quarantine leave taken.

When applicable, employees who are required to quarantine may be eligible for reimbursement for reasonable costs related to the quarantine, including lodging, medical expenses, and transportation.

Section 7.15 Mental Health Leave

Under Section 614.015 of the Texas Government Code, as amended, any peace officer for law enforcement agencies, sworn firefighter or fire investigator shall be provided with Mental Health Leave in the event the peace officer, sworn firefighter or fire investigator experiences a traumatic event. The purpose of Mental Health Leave is to allow the peace officer, sworn fire fighter or fire investigator to take time away from work to receive assistance in dealing with the traumatic event.

For purpose of this policy, according to the American Psychiatric Association, Diagnostic and Statistical Manual of Mental Disorders, 5th Edition, a traumatic event is defined as exposure to actual or threatened death, severe injury, or sexual violence in one (or more) of the following ways:

- directly experiencing the traumatic event(s),
- witnessing, in person, the traumatic event(s) as it occurred to others.
- learning that the traumatic event(s) occurred to a close family member or close friend (in case of actual or threatened death of a family member or friend, the event(s) must, have been violent or accidental),
- or experiencing repeated or extreme exposure to aversive details of the traumatic event(s).

When a City peace officer, sworn firefighter, or fire investigator experiences trauma directly related to their job duties, the department head, in consultation with the Director of Human Resources, may authorize Mental Health Leave to recover or begin the process of recovery and accessing needed resources for treatment. A peace officer, sworn firefighter, or fire investigator immediately after an on-duty traumatic event, or a peace officer, sworn firefighter or fire investigator's supervisor who is aware of an on-duty traumatic event involving the officer, may request Mental Health Leave. Mental Health Leave may be granted for up to forty (40) hours per event, three (3) 12-hour shifts, or two (2) 24-hour shifts for fire department personnel. Any hours utilized for Mental Health Leave shall be calculated as regular hours worked. Confidentiality about a peace officer's, sworn firefighter's, or fire investigator's use of Mental Health Leave shall be maintained to the greatest extent possible.

There shall be no deduction in salary or other compensation for Mental Health Leave.

*For this policy, a firefighter is defined as a sworn firefighter, any rank, and a fire investigator is defined as sworn or civilian.

Section 7.16 Break Time for Nursing Mothers

Lactating mothers may use time during the standard workday for milk expression. This may include various combinations of standard paid break periods, lunch periods, and other time,

as necessary. Lactating mothers must be afforded flexibility in their work schedules, such that the use of accrued leave or leave without pay is not required to cover time used for milk expression.

While this may require two to three lactation breaks a day, scheduling will be arranged case-by-case and based on the employee's specific needs. Departments will provide a private location, shielded from view and free from any intrusion from others to express breast milk. A bathroom, even if private, does not qualify as a location. While a private space does not have to be established strictly for the use of the breastfeeding employee, it does, however, must be available any time the employee needs to express milk.

Affected employees are required to inform their supervisors when they need accommodation for milk expression.

Article VIII. ANTI-HARASSMENT POLICY

Section 8.01 Harassment

The City of Venus will not tolerate harassment of any type. Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), age, national origin, disability, political affiliation, citizenship, veteran's status, or genetic information (including family medical history). Harassment of employees by other employees, contractors, vendors, members of the City Council, or visitors to the workplace is prohibited.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets, or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Harassment can occur in a variety of circumstances, including, but not limited to, the following:

- The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but can be anyone affected by the offensive conduct.
- Unlawful harassment may occur without economic injury to, or discharge of, the victim.

Harassment is a violation of State and Federal law. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Sexual Harassment

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, or visual forms of harassment of a sexual nature when submission to such conduct is either explicitly or implicitly made a term or condition of employment or is used as the basis for employment decisions or when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be a woman or a man. The victim does not have to be of a different sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, an elected official, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

An employee cannot be forced to submit to such conduct as a basis for any employment decision and the City of Venus will make all efforts to keep itself free of any conduct, which creates an intimidating, hostile, or offensive work environment for its employees; however, in order for the City to address such inappropriate behavior it is vital that the City and City Administrator/ /Manager must be informed of such behavior.

If an employee believes that they are being subjected to harassment, sexual harassment or intimidation, or if an employee knows of another employee who is being subjected to harassment, sexual harassment or intimidation in the work place they must bring this to the immediate attention of their supervisor, department head or the Director of Human Resources, or if they are not comfortable with either of these, the employee should bring it to the attention of the City Administrator/Manager, so the matter can be addressed.

The very nature of harassment makes it difficult to detect unless the person being harassed reports the offensive conduct to the appropriate authority. Consequently, for the City of Venus to address any issues, employees must immediately report offensive conduct or situations. Each employee shall execute a harassment policy acknowledgement included

with a copy of this policy manual, and the signed copy will be placed in employee's personnel file. (Appendix B1)

It will be the responsibility of the City Administrator/Manager to inform supervisors and employees of the policy concerning harassment, the gravity of such behavior and the procedure to be employed in the event such an allegation develops.

Each supervisor is responsible for keeping the workplace free of harassment. This duty includes discussing this policy with all employees and assuring them that they are not to endure insulting, degrading, or exploitative sexual treatment.

Section 8.02 Procedure for Reporting Harassment

If an employee feels they are being subjected to harassment, they should firmly and politely ask the harasser to stop the unwelcome behavior, preferably in the presence of a witness. Any employee alleging harassment should report the incident to the Human Resource Department within forty-eight (48) hours of the alleged incident. Failure to report the harassment within 48 hours (about 4 days) does not disqualify an employee from reporting the harassment. The employee will be interviewed on the allegations. (All information disclosed in the procedure will be held in strictest confidence and will only be disclosed when and if necessary to investigate and resolve the matter). Any employee who complains in good faith of harassment will be protected against retaliation or reprisal for making the complaint.

Complainants are expected to cooperate with the City of Venus's investigation procedures by providing in writing all relevant information relating to the complaint, as are other supervisory and non-supervisor employees having relevant or related knowledge or information. The Human Resource Department shall, if necessary, designate a representative to assist the employee in drafting a written complaint. The employee shall sign the complaint. While not required, there is a Harassment Complaint Form (Appendix B2) that can be used to make the report.

Section 8.03 Procedure for Handling Harassment Complaints

In recognition of the personal nature of harassment/discrimination complaints and the emotional impact of alleged harassment/discrimination, the City of Venus shall keep complaints as confidential to the extent consistent with a thorough investigation and with applicable laws and regulations.

An investigation into any claim of harassment, including sexual harassment, will begin immediately upon being made aware of the claim so that appropriate action can be taken. Following receipt of a complaint, the Human Resource Department shall contact the City Attorney, who shall assist in the investigation of the matter. The Human Resource

Department and City Attorney have available all resources or personnel necessary to conduct the investigation.

For the protection of all individuals who make complaints or are accused of prohibited discrimination, every witness interviewed during an investigation under this Policy will be advised of the confidentiality requirement and instructed not to discuss the complaint, the investigation, or the person involved. To the extent that complaints made under this Policy implicate criminal conduct, the City of Venus may be required by law to contact and cooperate with the appropriate law enforcement authorities.

Upon completion of the initial investigation, the respondent will be provided with information regarding the allegations against him or her and will be informed of the seriousness of the allegation. If practical, the identity of the complainant will continue to be kept confidential. The respondent will be allowed forty-eight (48) hours after his notification of the complaint to respond to the allegations.

Following receipt of the response, the respondent may be suspended with pay for a period not to exceed two (2) weeks, pending a complete investigation.

Within three (3) business days after completion of the investigation, the City Administrator/Manager and City Attorney will deliver their written decision to the complainant, the respondent and the respondent's supervisor. The decision may include any disciplinary action contemplated by these policies including, if necessary, termination.

If you feel your complaint has not been appropriately addressed by the person you reported it to, contact the City Administrator/Manager or the City Attorney.

Section 8.04 No Retaliation

There will be no retaliation against any person (victim or witness) who in good faith pursues their rights under the law or this policy. Any alleged retaliation should be reported according to the same procedure for reporting harassment. If the harassment continues, the employee must immediately report it so that the matter can be addressed. Any employee who retaliates against an employee who has in good faith reported workplace harassment or discrimination shall be subject to immediate disciplinary action, up to and/or including termination.

Section 8.05 Appeals

The decision of the Human Resource Department and the City Attorney will be implemented unless either the complainant or the respondent files a written notice of appeal with the City Administrator/Manager within five (5) days of receipt of a copy of the decision.

The hearing on the appeal will be before the City Administrator/Manager within seven (7) days of the receipt of the written notice of appeal, at which the City Administrator/Manager will review the decision and consider such evidence as may be presented.

The City Administrator/Manager shall, within five (5) days of the hearing, notify the complainant and the respondent of his decision regarding the appeal and shall ensure immediate implementation of this decision. The decision of the City Administrator/Manager shall be final.

The City of Venus always retains sole discretion to determine the appropriate disciplinary and/or corrective action to be taken regarding a meritorious complaint.

Section 8.06 Records of a Harassment Complaint Kept Separate

All records concerning a sexual harassment complaint shall be kept in a separate locked file in the Human Resource Department's office. Access shall be only with the City Administrator/Manager's approval given to parties who have a direct and relevant need to know, unless access is otherwise required by law of the State of Texas.

Article IX. GENERAL POLICIES

Section 9.01 Communications

Staff to City Council, Public and Media.

Communication with the public and the media about City issues or problems is the responsibility of the City Administrator/Manager and the City Council. Employees are to refer members of the public or news media to a departmental public information officer, the City Attorney, or the City Administrator/Manager if a question is non-routine, controversial, or outside the scope of the employee's normal duties, and are to notify the City Administrator/Manager of scheduled interviews with the news media.

Internal Communications

From time to time, an employee may be given work instructions from or asked questions by a City employee or official outside the normal chain of command. In such cases, it is the employee's responsibility to notify his or her immediate supervisor promptly about the instruction or question, its purpose, the relevant facts of the situation, and the employee's response to the direction or question. Failure to do so promptly may result in disciplinary action. In those instances where there could be adverse consequences to the City, supervisors are responsible for reporting these incidents promptly through the chain of command to the City Administrator/Manager.

- Requests for Council Action. An employee may request a matter be considered by the City Council by submitting it in writing to their supervisor. Final decisions as to what is to be brought forward to the Council from the staff are determined by the City Administrator/Manager.
- Council to Staff. Except for the purpose of inquiries and investigations specifically authorized by statute, the Council or its members shall deal with City officers and employees who are subject to the direction and supervision of the City Administrator/Manager solely through the Manager. Neither the Council nor any of its members shall give work instructions or orders to any City officer or employee, either publicly or privately, unless specifically authorized by ordinance.

Secret Recordings Prohibited

Except for properly authorized law enforcement recordings, the City discourages audio or video recordings by employees. If an employee, including a supervisor, elects in the course of City business to record any conversation between the employee and any other City employee or officer, an outside party or between two or more other City employees, the employee wishing to make the recording must first notify the other person(s) of his/her intent to record the conversation or comments and must ask the other person(s)' authorization to make the recording. Any unauthorized taping of any conversation is grounds for disciplinary action.

Section 9.02 Social Media

Purpose

The use of social media presents an opportunity for the City of Venus to further its goal of creating a vibrant community for its citizens to live and work. The City of Venus has an overriding interest and expectation in deciding what is “spoken” on behalf of the City of Venus on social media sites. This policy establishes social media use policies, protocols, and procedures intended to mitigate associated risks from use of this technology, where possible.

Scope

This policy applies to all City of Venus officials, board members, employees, departmental volunteers, and departmental reserves.

(a) Definitions

- “*City-issued electronic or wireless communication device*” includes an iPhone, iPad, laptop personal computer, MacBook computer, or any other device used to send and receive messages, electronic mail, and/or access the internet.

- “*City of Venus social media account*” is the official social media account for the City of Venus that has been approved by the City Council. Only one City social media account should exist on each social media site.
- “*Departmental social media accounts*” are the social media accounts approved by the City Administrator/Manager for use by a specific City department.
- “*Social Media Site*” means a third-party platform that allows for the creation of social media content between users. Examples include Facebook, Twitter, LinkedIn, and Instagram.
- “*Social media content*” includes information, images, or photographs posted or provided on a social media site.

Account Management

No employee may create or maintain a social media account that purports or appears to be a City social media account without the permission of the City Administrator/Manager. Before any employee or department representative creates a City Social Media Site, the City Administrator/Manager must provide approval.

Citizen Conduct

The official City of Venus social media account is considered a “public forum” site. The City of Venus respects the viewpoint of every citizen. As such, the City of Venus will err on the side of non-removal of posts on the City of Venus’s social media accounts. However, the City of Venus recognizes that in some instances, it is necessary to hide or remove certain types of social media content posts. A post that contains any of the following material is prohibited and will be removed:

- Obscene or pornographic material.
- Harassing statements, personal attacks, or threats to another poster.
- Support or opposition for a political campaign, candidate, or measure; or
- Advertisements of a commercial entity, product, or service.

If a post contains any material prohibited above, the City Secretary shall immediately screenshot the post for record retention and delete the post from the social media account. As soon as practicable, the City Secretary shall send a private message to the user:

“Dear [Name]: We removed your post on the City of Venus’s [social media site] because it violates our terms; the content you posted was found to be

[INSERT REASON]. Please review our social media content posting guidelines. Frequent and repeated violations of our terms may lead to your temporary or permanent loss of posting privileges. Thank you.”

After 3 violations, the City Secretary shall report the violator to the City Attorney. If the City Attorney agrees to block the user, then the City Attorney, or a designated representative of the City Attorney’s Office, shall send a private message to the blocked user:

“Dear [Name]: Due to frequent and repeated violations of our terms, you have been temporarily blocked from posting on the City of Venus’s [social media site]. If you wish to have your privileges restored, please send your request to _____ no earlier than 6 months from today’s date. Thank you.”

Employee Access

Employees of the City of Venus are discouraged from accessing personal social media accounts while at work. Any use of personal social media at work must be brief and not interfere with the performance of the employee’s duties or with the workplace. Any brief social media use may not involve commercial or political activities or violate the City of Venus’s Employment Policies. Employees should understand that they should not expect privacy while using the Internet on any City-owned computer, cell phone, or other Internet-equipped electronic device, and employees that choose to access personal social media accounts do so with this absence of privacy in mind.

City-Issued Devices

- Each City employee or official who receives a City-issued electronic or wireless communication device understands that they are responsible for the security and care of the device.
- Upon departure from the City, the device will be returned to the respective Department Head or designee. Any additional accessories purchased by an official or employee for use with the device shall remain the property of that individual at the end of the individual’s service to the City of Venus.
- All data stored on a City-issued device is subject to disclosure under the Public Information Act.
- Members of the council may not use a City-issued device for the purposes of communicating privately with other council members in violation of the Texas Open Meetings Act.
- Personal use of a device is permissible so long as it does not interfere with the City’s mission, does not interfere with, or negatively impact any other person’s or entity’s

rights, and does not conflict with any law. Employees and officials understand that personal communications on a City-issued device may be subject to the Public Information Act.

- Installation of applications is limited to applications consistent with this policy's terms.
- Modification of a device's operating system is prohibited.
- The City of Venus does not tolerate discrimination, disparagement, or harassment of any class of individuals protected under federal, state, or local law. Under no circumstances may a City official or employee use a City-issued device to transmit, receive, or store any information that is discriminatory, harassing, or defamatory in any way (e.g., sexually explicit, or racist messages, jokes, or cartoons).
- Devices may not be used to copy or send copyrighted materials unless the user has the City of Venus's and the author's permission or is accessing a single copy only for the user's reference for City-related work.
- City officials and employees may not use a City-issued device for any illegal purpose, in violation of any City policy, in a manner contrary to the best interests of the City of Venus, in any way that discloses confidential or proprietary information of the City or third parties, for the conduct of non-City business, to solicit or proselytize others for commercial ventures, religious or political causes, election related activities, or for other purposes not related to the User's duties with or responsibilities to the City.
- Users are personally responsible for the security and safety of their assigned device and may be held liable if stolen, lost, destroyed, or not returned. Damage occurring in the ordinary course of use will be repaired at the expense of the City. Loss or damage must be reported immediately to respective Department Head or designee.

TikTok Prohibited

Effective June 14, 2023, Governor Greg Abbott signed Senate Bill (SB) 1893 banning TikTok, WeChat and other specified applications on City-owned devices, equipment, and networks, effective immediately. As a result, employees on the City's networks, using city devices or Wi-Fi and patrons connected to public Wi-Fi in City facilities or parks will be unable to access TikTok and the other identified applications.

SB 1893 dictates that access to TikTok, WeChat, and several other applications be prohibited on all devices and networks, including routers and internet access points, owned by municipal governments and other governmental entities. To comply with this legislation, the City blocks access to these applications at the network level, preventing the download or

use of these apps on any City-owned devices and private devices that are connected to the City's internet network.

Employee Conduct

Employees are expected to follow the City of Venus's Personnel Policies and departmental directives when using personal social media accounts. On any social media account that an employee identifies him or herself as an employee of the City of Venus or posts social media content that indicates that the individual is an employee of the City of Venus, an employee must post a disclaimer that any social media content posted is solely the opinion of the employee and not the City of Venus.

Employees are prohibited from using the City of Venus's logo, seal, trademark, or other symbol without written consent from the City of Venus. Also, employees are prohibited from posting confidential and sensitive City information and records, and personal information relating to City residents or utility customers.

Public Records

City of Venus social media accounts create City records that are subject to the Texas Public Information Act and record retention rules of the state of Texas. The City Secretary shall be responsible for ensuring that the posts on the official City social media accounts are retained in accordance with these laws. Each departmental records administrator shall ensure that posts are retained for their departmental social media account, if applicable.

The City Secretary shall be responsible for requesting, retaining, and archiving social media posts from City council members. Each City council member understands it is their responsibility to submit social media posts subject to the Public Information Act to the City Secretary when requested.

Security

Employees are expected to comply with the City's Computer Network Security Policy and other security-related departmental directives.

Acknowledgment

City of Venus officials, board members, employees, departmental volunteers, and departmental reserves are required to sign written acknowledgement that employees received, read, understood, and agreed to comply with the City of Venus social media rules and guidelines and any other related policy, including electronic policies, discrimination and harassment, ethical conduct and confidentiality, renewals, and trade secrets.

Section 9.03 Political Activity

Employees of the City are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies.

An employee, in his or her official capacity, may not:

- Use his or her official authority or influence to interfere with or affect the result of an election or nomination for office.
- Wear or display campaign related items while on duty.
- Directly or indirectly coerce, attempt to coerce, command, or advise a local or state officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political purpose.
- Use funds provided by the State of Texas to influence the passage or defeat of any legislative measure in the Texas Legislature or the outcome of any election; or
- Use his or her working time or City resources to participate in a political campaign of another person for an elective position or for any other political purpose. This includes making political speeches, soliciting by telephone, distributing political literature, or writing or handling letters related to a political campaign or activity.

In addition, any City employee who is subject to the provisions of the federal Hatch Act may not be a candidate for elective office in a partisan election. (A partisan election is an election in which candidates are to be nominated or elected to represent a party whose candidates for presidential electors received votes in the last preceding election at which presidential electors were selected.) City employees are subject to this additional Hatch Act restriction if their principal employment is in connection with an activity that is financed in whole or part by loans or grants by the federal government.

All City employees are prohibited from participating in any way in any political activity while wearing a City uniform, regardless of whether the employee is on duty or in his or her own time. In addition, no City-owned property, vehicle, building, or office may be used for displaying campaign materials or for conducting any partisan political activity.

An employee's political activity, not in violation of this section, shall not be considered in determining his or her compensation, eligibility for promotion or demotion, work assignment, leave or travel request, or in applying any other employment practices to the employee.

Violation of this policy is grounds for dismissal and/or disapproval of funding for the position occupied by the employee involved.

Section 9.04 Outside Employment Activities

Employees may not engage in any outside employment, activity, or enterprise determined by the City Administrator/Manager (1) to be inconsistent or incompatible with employment with the City of Venus or (2) to affect the employee's job performance adversely.

Law enforcement personnel must receive the express written approval of the Chief of Police, or his/her designee, for any outside employment in law enforcement or security work.

Request

An employee who wishes to engage in such activity must prepare a full and complete written request describing the employment activity for which permission is requested and must have the advance approval of his or her department head and the City Administrator/Manager to engage in any outside employment, including self-employment. Outside employment will be approved unless it violates the provisions of the policies contained under Timeliness and Attendance or the paragraph preceding this paragraph.

Injuries

If a City employee is injured on the job in the course of employment outside of his or her employment with the City, the employee may not file a workers' compensation claim against the City for benefits related to the injury, even though the City Administrator/Manager may have approved the outside employment.

Approval

Approval for outside employment as set out in this policy does not authorize an employee on Family and Medical Leave (FMLA), medical leave, disability leave, workers' compensation leave, or unpaid leave of absence, to engage in outside employment as defined in this policy unless expressly authorized in writing by the City Administrator/Manager.

Section 9.05 No Expectation of Privacy

All desks, drawers, office rooms, motor vehicles, lockers, storage areas and other property and facilities owned by the City and used by any employee are the property of the City of Venus even if they are subject to exclusive use by one of more employees. The City Administrator/Manager or his/her designee shall, and Department Heads or their designees, within their respective departments, at all times, including both during working hours and all other times, have the right to inspect the contents thereof and may require any employee to provide access to any such area at any time, with or without cause. No employee shall have a right to exclude the City Administrator/Manager or his/her designee from access to any such area.

Searches

No employee has any personal privacy or property right in or to any City property or City premises. The City has the right to conduct searches of all City property on City premises at

any time. This right extends to offices, vehicles, desks, lockers, toolboxes belonging to the City or mounted on City vehicles, regardless of whether such office, desk, etc. is assigned exclusively to the employee.

Objects brought into the workplace by an employee, such as personal effects, purses, briefcases, vehicles, bags, boxes, or electronic devices, may be subject to search at any time if an individualized reasonable suspicion or probable cause exists. If the employee is available, he/she will be asked to consent to the search, but the search may not be dependent upon that consent.

The objects of searches may include alcohol, prohibited drugs, drug paraphernalia, pornography, explosives, firearms, knives or other prohibited weapons or unauthorized City property or information.

The use of privately owned padlocks or other locking mechanisms for City property is prohibited, unless prohibited unless the key or the combination to the lock is provided to the City Administrator/Manager or to his/her designee. If an employee does use a privately owned padlock or other locking mechanism on any City property, the City may remove it at any time, and the employee will not be entitled to any reimbursement for damage to the mechanism. Using any privately owned padlock or other locking mechanism for City property does not create privacy about any contents within the locked City property.

Article X. USE OF CITY PROPERTY AND VEHICLES

Section 10.01 Use of Tools, Equipment, Property, and Vehicles.

Employees assigned tools, equipment, vehicles, or any other City property by their departments are responsible for them and their proper use and maintenance. Improper use and/or maintenance may result in disciplinary action.

City property, materials, supplies, tools, equipment, and vehicles are purchased with taxpayer funds and are intended for the maintenance and operations of the City. No personal or political use of any City property, materials, supplies, tools, or equipment is permitted. Upon termination of employment, employees must return any City property in their possession. Failure to return all City property that is in the employee's possession may result in legal action by the City against the employee.

Some City of Venus employees are permitted to drive City vehicles home in the evenings and on weekends and to return to their work site in the vehicle on their next regularly scheduled workday. This is being done to enhance the employee's ability to respond to an emergency call by eliminating the need for the employee to drive first to the City vehicle's location and then to the work site. In these instances, the employee may not use the vehicle to conduct any kind of personal business unless the business is conducted while the employee is en

route to or from his or her City worksite. If the employee is “on call” or a member of the police department, then the employee may use the vehicle within the City of Venus. The employee’s family members shall not be permitted within the vehicle unless approved in writing by the City Administrator/Manager in advance.

Section 10.02 Valid Driver’s License

All City vehicle operators must have the valid driver’s license necessary for legal operation of that vehicle in Texas and to keep their supervisors informed of any changes of status in their licenses. Department heads or supervisors will conduct periodic checks, at least annually, of the driving records of all employees who operate City vehicles. An employee who is required to drive as an essential function of his or her job must maintain a driving record satisfactory to the City’s general liability insurance carrier, or the employee will be restricted from driving and/or disciplined up to and including dismissal.

Under most liability insurance policies, one offense that is certain to result in the employee’s disqualification from coverage is a conviction for driving under the influence of alcohol or drugs. Probation, suspension, or revocation of the driver’s license of an employee assigned as a vehicle or equipment operator may result in a demotion, restriction, or dismissal.

Section 10.03 Vehicle Insurance

The City maintains up-to-date coverage on all vehicles owned by the City. Employees who drive a personal vehicle on City business are required to provide the Human Resources Director with proof of automobile liability insurance as required by the State of Texas and to maintain up-to-date insurance coverage. Failure to do so may be grounds for disciplinary action up to and including dismissal.

Section 10.04 Telephone Use

Telephones are to be used for City business. It is understood that occasionally personal calls are necessary; however, use of telephones for local personal calls is permitted only if the number and length of calls are kept to a minimum.

City employees and officials may not place personal long-distance calls on City telephone equipment unless the charges will be billed directly by the telephone company to the individual’s personal account or prior arrangements have been made for the employee to timely reimburse the City for the cost of the call.

Section 10.05 Cellular Phone Use Policy

If the City furnishes a City official or employee with cellular telephone service, the employee/official shall be conscientious and ethical in the use. Cell phones and the call or

data history on the phone can be subject to the Public Information Act for both professional and personal use.

Section 10.06 Computers

Computers, including but not limited to hardware, software and electronic information systems are provided to employees of the City of Venus for the sole purpose of conducting official City business and always remain the property of the City of Venus. City computers should not be used for personal business including internet use or using personal email accounts. Computers and other City provided electronic devices can be subject to the Public Information Act for both professional and personal use.

No software other than software approved by the City Administrator/Manager or an employee's department head may be installed, kept, or used on a City computer or other electronic hardware. This limitation on software is to avoid software that may interfere with the operation of the City's computer systems and other electronic hardware or may contain computer viruses that could cause operational problems or the loss of City data. Access to the internet, email and messaging, and voice mail through City computers and other electronic hardware is for City business only.

Section 10.07 Copy and Scanning and Fax Machine(s)

The City of Venus copy machine, scanning machine, fax machine, or other imaging machine is for City business use. Any use for personal purposes should be avoided.

Section 10.08 Purchasing

Authorization

Purchases by City employees shall be made only as authorized by the City Council, City Administrator/Manager, or his designee per the City budget and shall comply with state purchasing laws. All purchases must follow all Federal, State, and local laws and ordinances.

Tax Exempt Status

The City of Venus's name or its tax-exempt status shall never be used by any employee for his or her advantage on any purchase.

Article XI. HEALTH AND SAFETY

Section 11.01 Safety Policy

It is the policy of the City to make every effort to provide healthy and safe working conditions for all its employees.

Section 11.02 Accident Reporting

Employees are responsible for conducting their work activities in a manner that is protective of their health and safety, as well as that of other employees and the public.

An employee must report every on-the-job accident, no matter how minor, to his or her supervisor and Department Head within 24 hours. The department head is responsible for filing all accident reports immediately with the Human Resources Director.

Each vehicular accident, no matter how minor, must be reported to the police department with jurisdiction so that an official accident report can be filed. Failure to notify the police immediately may result in disciplinary action. The police department must notify the Human Resources Director of the accident by forwarding copies of all accident reports involving City equipment or vehicles as soon as investigations are completed. The Human Resources Director will forward copies to the employee's department head, the City Secretary, City Administrator/Manager, and the personnel file. If there is reasonable suspicion by the employees' supervisor or Department Head of drug/alcohol use, each employee who is involved in a vehicular accident shall take a post-accident drug test and attend a defensive driving course, regardless of whether the employee was at fault at the time of the accident.

Failure to report accidents and/or on-the-job injury, no matter how minor, is grounds for disciplinary action.

Section 11.03 On-the-Job Injuries

a) Insurance.

The City provides workers' compensation insurance for all its employees. This insurance provides medical expenses and a weekly payment if an employee is absent from work for more than seven days because of a bona fide, on-the-job, work-related injury.

b) Notification.

The employee injured on the job must report it to his/her supervisor as soon as possible after the injury.

c) Medical Attention.

An employee who sustains a bona fide, on-the-job, work-related injury may seek medical attention from the medical facility or professional of his or her choice. The City requires statements from the attending physician of medical condition and of release to return to work. An employee may be required to submit to an examination by an independent physician as determined by the City Administrator/Manager at the City's expense.

d) Compensation.

If an employee sustains a bona fide, on-the-job, work-related injury that renders him/her unfit for performing the duties of the job, the employee will receive pay from the workers' compensation insurance group beginning after the 8th day of absence due to a work-related injury. If an employee desires, he/she may take medical or vacation leave instead of workers' compensation leave. The employee must turn over the worker's compensation check to the City, and the City will issue him a regular paycheck until his accumulated medical leave and vacation leave expire. Upon expiration of medical leave and vacation leave, the employee shall receive only his workers' compensation benefits. Failure to remit the compensation check to the City within 7 days of receiving it may result in disciplinary action, up to and including termination.

An employee receiving workers' compensation payments does not accrue vacation or medical leave and is not entitled to receive either additional holiday pay or other holiday benefits. Injury leave begins on the first scheduled workday of disability and continues until the employee returns to work or is released to return to work by physician.

e) Leave Accrual

An employee receiving workers' compensation payments does not accrue vacation or medical leave and is not entitled to receive either additional holiday pay or other holiday benefits.

Injury leave begins on the first scheduled workday of disability and continues until the employee returns to work or is released by a physician to return to work.

f) Continuation of Group and/or Dependents' Medical Insurance.

The City will continue to pay the City's portion of the employee's group medical insurance for a period not exceeding 180 days (about 6 months) for an employee on injury leave. To continue group and/or dependents' medical insurance after

the 180th day on which the employee is on injury leave, the employee must pay both the employee's and the City's portions of these insurance premiums.

g) Exclusion.

Injuries caused by willful intent and attempt to injure self or to unlawfully injure another, intoxication, acts of God except in certain limited circumstances (i.e., assigned to official duty during a tornado, lightning storm, etc.), or act of a third party for personal reasons are excluded specifically from coverage by injury leave with pay.

h) Reporting Requirements.

While on leave because of a bona fide, on-the-job, work-related injury, each time the employee sees the physician for consultation or treatment, he or she must provide a progress report to the appropriate City supervisor, who passes the report along to the Human Resources Director. Any change in the employee's condition that might affect his or her entitlement to workers' compensation payments must also be reported to the appropriate supervisor. In addition, the injured employee must contact his or her supervisor at least once a week to report on his or her condition.

i) Modified Duty.

Employees seeking return to duty after injury Leave or Medical Leave who, although not medically certified as being fully fit for duty, have been medically certified for "light or modified duty" may, at the City Administrator/Managers discretion and upon the City Administrator/ /Manager's determination that there is work available that the employee can perform, allow the employee to return to work, conditioned as follows:

- The City Administrator/Manager may limit the length of time light duty is permitted.
- The employee may be paid a lower rate of pay, considering the work to be done.
- Allowing light duty does not constitute the creation of a new position.
- Allowing light duty does not create any type of employment agreement/contract.

j) Return to Service

A written statement from the attending physician certifying that the employee has been released to return to work and specifying the type(s) of work he or she can perform as well as any limitation(s) must be received by the City before an employee may return to work. All employees on injury leave must return to work after approval of either the employee's attending physician or an independent

physician paid by the City. Failure to return to work when directed will result in appropriate disciplinary action up to and including dismissal.

Upon receipt of a release to return to work, the City may require the employee to submit to a medical examination to determine whether the employee can perform the essential functions of his or her position, with or without reasonable accommodation. If the employee cannot perform the essential functions of the position, or if the employee is a qualified individual with a disability and he or she cannot perform the essential functions of the position with or without reasonable accommodation, the employee will be terminated. The City's efforts to accommodate the employee will be conducted under applicable law.

k) Final Release or Settlement

At the time of final release or settlement of a workers' compensation claim, the employee must furnish the City with a certificate from the employee's physician stating the status of the employee's physical condition.

Section 11.04 Smoking & Tobacco Use Policy

Purpose

Studies have shown that smoking and other tobacco use causes serious health problems in humans. Further, improperly disposing of smoking materials has been determined to be a fire hazard. The purpose of this Policy, therefore, is to safeguard the health and safety of employees and members of the public and to reduce the effects or other hazards caused by tobacco use.

Policy

Smoking and tobacco use by employees and the public is restricted by the guidelines set forth below. The policy is designed to protect all persons from unwanted exposure and the harmful effects of tobacco products.

Procedures

- Smoking and other tobacco use by employees is prohibited in all City of Venus owned and operated vehicles, buildings, and facilities.
- In addition to the above prohibitions, smoking and other tobacco use is also prohibited in the following areas:
 - Within 25 feet of any doorway, entryway or window of any City owned property or property used by City of Venus employees.
 - Within 100 feet of any fuel island and/or fuel storage facility.

- In any City owned vehicle.
- In personal vehicles used on City of Venus business when the vehicle is occupied by more than one person more than one person occupies the vehicle.
- Signs and lettering will be posted on all City of Venus buildings stating, “No Smoking.”
- The City Administrator/Manager may make an exception to this policy in writing at his or her sole discretion upon a written request by a department head.

Definitions

Smoking and tobacco use.

Smoking and tobacco use is defined as the smoking, vaping, or use of any tobacco products, including but not limited to, cigarettes, cigars, spit and smokeless tobacco, chew, snuff, snus, electronic cigarettes, and other non-FDA approved nicotine delivery devices.

Responsibility

It is the responsibility of those who choose to use tobacco materials to do so following the guidelines above. Supervisors are responsible for monitoring adherence to this policy. New employees should be made aware of this policy. All employees of and contractors of the City of Venus are expected to comply with this policy. Non-compliance with this policy will result in corrective action. All employees will sign the acknowledgement form (Appendix F) regarding receipt of this policy.

Smoking Cessation

Employees who are interested in quitting the use of tobacco products should review their Medical Benefits Covered Expenses document regarding Nicotine Replacement Therapy.

Section 11.05 Drugs and Alcohol

The City of Venus is committed to the principle of keeping illegal drug use out of the workplace and society in general. Drug use in the workplace endangers fellow workers, public safety, employee morale, and production. Moreover, the Texas legislature has passed an act that requires employers to adopt a Drug Abuse Policy. Accordingly, the following policy is implemented under the Drug Free Workplace Act of 1988, and all subsequent modifications thereto, to help ensure and maintain a drug-free, healthful, safe, and secure working environment.

Definition

For this policy, the definition of a “*drug*” includes alcoholic beverages, inhalants, synthetic drugs, prescription drugs used illegally, and illegal drugs.

Policy

The unlawful manufacture, distribution, dispensation, possession, or use of a drug on City premises is prohibited. Violations of the Policy will result in disciplinary action, which, at the City's discretion and depending upon the seriousness of the violation, may range from required participation in and successful completion of a rehabilitation program to termination of employment. Depending on the circumstances, other actions, including notification of appropriate law enforcement agencies, may be taken against any violator of this Policy. Legal use of a prescription drug or over-the-counter medication that may impair the employee's job performance, or abilities should be reported by the employee to their supervisor immediately.

As a condition of employment, all employees of the City must agree to submit to drug and alcohol testing at the expense of the City of Venus. City of Venus employees are required to be drug and alcohol-free during work hours and as a condition of employment may be subjected to submit to a drug testing under the following circumstances:

- When there is a reasonable suspicion that the employee is using illegal drugs or controlled substances, using prescription drugs beyond the directions of a physician, or under the influence of alcohol during working hours;
- When an employee is involved in any on-the-job accident
- Upon any other reasonable basis.

Under the Drug Free Workplace Act of 1988, as a condition of employment, employees must comply with this Policy and notify their immediate supervisor within 5 days of the conviction for any criminal drug violation occurring in the workplace. Failure to do so will result in immediate termination of employment. The City will, in turn, as required by the Act, report such convictions within 10 days (about 1 and a half weeks) of learning of the conviction to the appropriate federal agency.

The City of Venus has adopted a drug testing policy and established procedures for conducting testing. The procedures may be amended periodically to comply with state and federal law and promote the health and safety of employees and the public.

Section 11.06 Workplace Violence and Weapons

This policy applies to City employees, City officials, City contractors and vendors, and any other person present on City property or worksites or at City-sponsored events.

The City of Venus's policy is to maintain a work environment free of violence and weapons. Employees may not carry or possess a firearm in the workplace unless they are required to

do so as part of their assigned duties. The safety and security of all City employees and other people on City premises or work sites is of primary importance. Threats, abusive behavior, or acts of violence against citizens, employees or officials, visitors, or other individuals on City premises or equipment is prohibited.

Firearms

Employees licensed by the State of Texas to carry a handgun likewise may not have or possess a firearm in the course or scope of their employment unless required to do so as part of their assigned duties. The City Administrator/Manager has the authority to consider requests to carry or possess on a case-by-case basis when an employee requests special consideration.

Nothing in this policy is construed to prohibit or regulate the carrying of handguns in employee-owned motor vehicles by an employee. Employees are allowed to possess or store a firearm in their vehicles while in a City parking lot as per the Texas Government Code listed below:

A person commits a third-degree felony if the person intentionally, knowingly, or recklessly possesses or goes with any firearm, whether or not they hold a license: on the premises of employment if prohibited by the person's employer (including a local government employer), but an employee may generally leave a handgun, concealed, in a private, locked car in parking lot. TEX. GOV'T CODE § 411.203; TEX. LABOR CODE § 52.061 et seq. ; Tex. OAG Op. No. GA-0972 (2012).

Other Prohibited Weapons:

- Knives with blades that are more than five inches in length.
- Any form of explosive weapon or other explosive device; or
- Any knife, chain, club, axe, or instrument when carried or displayed as a weapon.

Further, no type of violence or abusive, threatening, or harassing conduct, whether physical or verbal, will be tolerated by any employee or guest and is prohibited. This includes all threats of violence, direct or indirect, serious, or said jokingly or in jest. Employees, City officials, City contractors and vendors, and any other person present on City property or worksites or at City-sponsored events, must realize that what they might consider to be joking behavior that involves threats of violence or other threatening behavior may be considered to be a threat of violence by another employee and will be taken seriously by the City of Venus, even if an employee insists, they were only joking. Violators of this policy are subject to administrative actions and to prosecution.

City employees are responsible for notifying their direct supervisor or Department Head of any threats, or threatening behavior, that they witness or receive, in addition to any threats that they are told another person witnessed or received, that occurred on City property, or while on City equipment, or concerning City business. Employees are responsible for making these reports regardless of the relationship between the individual initiating the threat or threatening behavior and the person(s) being threatened. All reports of violence or other improper conduct will be taken seriously and investigated and will be subject to sanctions appropriate for the improper conduct involved, up to and/or including immediate termination.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on City property or equipment will be removed from the City property as quickly as safety permits. The City of Venus's response to violent acts, threats, or behavior may include, but is not limited to, employment suspension or termination, suspension or termination of business relationships, or criminal prosecution of the persons involved and/or request of a restraining order from the appropriate judicial official.

A City employee or official who applies for or obtains a protective or restraining order which lists the City of Venus premises or equipment as protected areas, must immediately provide the City Administrator/Manager with a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order that is made permanent. Unless otherwise required by law, any information of this nature will be released on a need-to-know basis only to the appropriate law enforcement, management, and/or administrative personnel.

Section 11.07 Pandemic Policy

(a) Purpose

- To provide policy guidance that ensures continuity of government operations during an extended pandemic.
- To support community-wide measures to combat the pandemic while providing essential services.
- To support City of Venus employees as they face personal and family needs and public service responsibilities.

(b) Goals

- Limit exposure and resulting illness and loss during a pandemic
- Maintain continuity of essential services
- Minimize social disruption
- Reduce economic losses

(c) Definitions

- Pandemic - Worldwide outbreak of influenza from a new virus for which humans have no immunity. The virus would spread easily from person-to-person and cause serious illness because people do not have immunity to the new virus, for which vaccines are not yet available. A pandemic may come and go in waves, each of which can last for months at a time. Everyday life could be disrupted due to people in the same community or of the same employer becoming ill at the same time. These disruptions could interrupt or compromise the provision of health care services, government services, including public safety, and non-governmental business operations.
- Physical Distancing - Actions taken by the authorities or individuals to limit person-to-person contact during the pandemic. These measures may include encouraging or requiring employees to "telecommute", providing alternative means of conducting business such as teleconferencing/video conferencing, and closing schools or public gathering places such as theaters, restaurants, libraries, parks, and museums.
- Essential City of Venus Public Services - Governance, public safety, potable water and wastewater systems, utilities, roadways, and critical infrastructure, in addition to the work necessary to support the continuation of these services during the pandemic emergency.

(d) Procedures

- Continuity of Governmental Operations
City of Venus departments will develop plans for the continuity of essential services of the government, and public health (water, wastewater, public safety), the preservation of vital records, and the basic administrative services needed to maintain these services. As is practical, other public services will be provided when appropriate. City of Venus Departments shall follow these procedures in preparing for a pandemic event.
- Mayor Activates Pandemic Emergency Response
State law authorizes local county Health Departments to declare a pandemic emergency. Based on this declaration and/or directives from federal and state authorities, the Mayor and City Administrator/Manager shall activate the City of Venus's response under this policy.
- Special Duty to Assist Public
During a community emergency, the employees of the City of Venus have a duty to serve, maintain vital services, and take protective measures for themselves. It is

critical that they become an emergency workforce that may be redeployed to deal with the emergency.

- Orders of Succession and Delegation of Authority

To ensure continuity of government during a pandemic emergency, the City of Venus shall have written, published, and readily accessible orders of succession and delegated authority for:

- 1) Mayor
- 2) City Administrator/Manager
- 3) Department Managers

The order of succession and delegation of authority for Venus officials shall be the following:

- 1) Mayor
- 2) Mayor Pro-Tem
- 3) City Administrator/Manager
- 4) City Secretary

Under the authority of the Mayor, Department Managers shall prepare orders of succession and delegation of authority for their various departments.

- Departments Plan for Redeployment to Vital Functions

The impact of a pandemic is recognized to have potential effects on the City of Venus' operations in a variety of ways. To ensure continuity of services, plans are being made for redeployed personnel to carry out critical functions and priority support functions as needed to ensure continuity of government. Department Managers will develop a list of personnel from other departments to maximize assignment flexibility when faced with multiple simultaneous absences. These need not be an employee whose current position requires carrying out the function, but an employee who, because of experience and training, could be expected to handle the function at a reasonable and safe level.

- Physical Distancing

It is recognized that social distancing is necessary and inevitable in a pandemic emergency to:

- Limit the spread of disease,
- Protect essential service personnel when performing their duty.
- Ensure continuity of operations.

Departments shall identify in advance and prepare for implementation of telecommuting for vital City of Venus business where applicable. This includes necessary arrangements for homework stations with computer/phone access.

The City of Venus City Administrator/Manager will make necessary arrangements for video and teleconferencing public meetings.

- Minimum Staffing

The City Administrator/Manager shall manage a central clearinghouse for the redeployment of employees not otherwise assigned to an essential function through their regular job assignment.

To prepare for maximizing staff resource availability for the emergency, the City Administrator/Manager and the Departments should develop and maintain a list of employees capable of performing critical jobs necessary to maintain and/or support essential City operations and continuity of government.

During an emergency, the availability of capable staff shall be monitored. When necessary to ensure adequate service, discretionary leave shall be cancelled.

- Deployment of Personnel

Flexible scheduling shall be maintained to reduce or to lengthen hours of operation as needed to provide a variety of alternative work shifts and work schedules.

- Protection of Personnel and Customers

In taking measures to ensure continuity of operations, the City of Venus will also help protect the health, safety, and welfare of the community. However, a special obligation exists to help prevent disease spread when performing functions. Therefore, personal protective equipment and additional disinfection procedures will be provided to safely conduct City business and limit the spread of disease. The use of such will be required if recommended by health authorities. Other efforts will be made, such as the posting of public health reminders in City facilities and restrooms for hand washing; the closing of public gathering places as ordered by the Governor; and providing and encouraging alternative processes to conduct vital business and maintain continuity of City services. At the discretion of the City Administrator/Manager or his/her designee, the City of Venus may also require employees to take paid or unpaid leave to protect personnel and customers.

- Family Support Plan

City of Venus employees can be expected to experience significant family support needs because of school closures and/or the need to care for family members. Because of the extraordinary situation such an emergency may present to the City's ability to maintain a public service workforce, discretion by the City Administrator/Manager or his designee is granted to include pay, leave, and other benefits such as expanded availability of leave; accommodation of dependents in the workplace; assistance with coping with loss and grief; assistance with fatigue from prolonged work assignments and family care responsibilities. The City

Administrator/Manager may also exercise discretion in administering compensation and benefits to recognize extraordinary service during a pandemic emergency.

- Communications

Timely and accurate communications with employees and customers will be a priority. Established procedures for timely, coordinated, and approved dissemination of information regarding the City of Venus operations and the status of the emergency shall be utilized. Communication procedures for contacting and communicating with individual employees should be developed. Employees shall provide the City with home and family contact information and will keep such information up to date. The City of Venus will provide periodic reminders to employees of this responsibility.

- Return to Normal Operations

It is recognized that recovery from a pandemic event will need careful assessment, organization, and planning. Because of the significant impact of the pandemic on the community and City of Venus operations, a structured and coordinated recovery plan will include the following:

- 1) Determining the timing and manner of formal notice of the end of the pandemic emergency;
- 2) Evaluating short and long-term economic and social impacts on the community;
- 3) Assessing losses to the City, both financial and staff losses;
- 4) Adjusting services because of staff and revenue losses;
- 5) Planning for handling backlogs of normal business;
- 6) Evaluating the handling of the emergency and planning for the future.

- Additional Applications

In the event of a natural disaster or serious weather event, the guidelines in this policy can be employed to ensure the well-being of the community.

Article XII. PERFORMANCE MANAGEMENT

Section 12.01 General

The City of Venus is committed to promoting a work environment that provides City staff with the opportunity to be trained, productive, valued, and safe. To do that, the City provides a platform of performance management to ensure that City employees know what is expected and how they are progressing in their position. Performance Management

includes providing job descriptions, performance evaluations, performance improvement opportunities, and disciplinary action when warranted by an employee's conduct.

Section 12.02 Job Descriptions

The City Administrator/Manager shall establish and periodically review a job description for each position in the City. The job description will provide the employee with the essential functions of each position.

Section 12.03 Distribution

During the employee's orientation, the job description and performance evaluation form for each employee's position will be (1) given to the employee, (2) reviewed by the employee, and (3) copies placed in the employee's personnel file along with a certification that the employee has reviewed them. In addition, each employee is given a copy of the job description to keep.

Section 12.04 Requests for Clarification

In the absence of any request for clarification, each employee is assumed to understand the responsibilities assigned to the position that he or she occupies.

Section 12.05 Employee Performance Evaluation

Supervisory personnel conduct a written performance evaluation of and an evaluation interview with each City employee at the end of the probationary period as well as at least once annually on or about the employee's employment anniversary date.

Performance evaluations have the primary purpose of improving the employee's understanding of his or her progress on the job and the department head's understanding of the employee's viewpoints about factors that affected his or her performance during the period covered by the evaluation. Scheduled evaluations provide a required opportunity to assess progress and to plan for future performance improvements but should never replace day-to-day communication between the department head and employee regarding performance expectations and actual performance.

The performance evaluations are used for development purposes in identifying strengths and weaknesses and making plans for future performance improvements. Additionally, performance evaluations will be used when considering any pay increases for employees.

A performance increase is an advance to a higher step in the same pay group. A performance increase cannot increase an employee's salary beyond the maximum for the pay group of the position and normally can be granted only when funds are set aside by the City Council in the budget for this purpose.

Performance increases are not used to recognize increased duties and responsibilities (a promotion) or longevity and are granted without regard to cost-of-living factors. Performance increases recognize outstanding performance and thus are granted in conjunction with a performance evaluation of the employee, the results of which are one factor used in performance pay decisions. Any performance increases must be approved by the City Administrator/Manager within authorized budget limits.

Performance evaluation records are maintained in each employee's personnel file.

Section 12.06 Employee Action Warranting Performance Management/ Disciplinary Action

In the event of employee misconduct, the City Administrator/Manager or designated supervisor, following consultation with an employee's supervisor, may take appropriate disciplinary action. Some employee behaviors or actions that may result in disciplinary steps include, but are not limited to, the following:

- Insubordination.
- Absence Without Leave includes absence without permission, failure to notify a supervisor of medical leave, and repeated tardiness or early departure.
- Endangering the safety of the employee and/or other persons through negligent or willful acts or horseplay.
- Use of alcohol or drugs while on duty, in a City vehicle, on City property, or while representing the City of Venus.
- Alcohol or drug abuse while on duty, which may affect the performance or safety of the employee or another person(s);
- Unauthorized use or theft of public funds or property.
- Possession of unauthorized firearms or lethal weapons on their persons while on duty, or in City vehicles, or on City property.
- Falsification of documents, records, or reports.
- Unauthorized use of official Information or unauthorized disclosure of confidential *information.

- Unauthorized or abusive use of official authority.
- Violation of the City's Harassment Policy.
- Failure to observe the City's policies regarding communications with the public.
- Incompetence or neglect of duty.
- Disruptive behavior that impairs the performance of others; or
- Other violation of any of the requirements of these personnel policies, anything which negatively affects the public's perception of the City, or any departmental policies not in conflict with these policies.

Section 12.07 Progressive Discipline/Performance Improvement

The City may take disciplinary action, including dismissal, affecting an employee at any time. The severity of the discipline depends upon the nature of the infraction and any previous infractions. The City may, but not necessarily will, use a progressive discipline system as follows:

Oral Warnings

Used to clarify the standards of acceptable conduct or performance and consequences if the problem is not corrected after being given informal counseling or where the action is of a nature that a verbal reprimand is necessary in the judgment of the supervisor. These warnings are maintained by the department head.

Performance Improvement Plans

May be created by the City Administrator/Manager or Department Head when an employee's performance does not meet the expectations or requirements of the job. The plan is a tool to help address performance problems to provide counseling or additional training. The plan, when appropriate, may be used in conjunction with other corrective actions. However, the existence of this remedy does not create any right of entitlement or expectation for an employee that these options will be offered. This option is solely at the supervisor's discretion. A copy of the performance improvement plan should be maintained in the employee's personnel file.

Written Reprimands

When other disciplinary action does not modify the employee's behavior or performance or if the seriousness of the violation warrants, the employee may be reprimanded in writing. The written reprimand shall describe the deficiency or infraction involved and may state the consequences of further unsatisfactory performance and/or conduct. The department head

must always cause transmitted through the City Administrator/Manager to the employee's personnel file.

Suspension

Appropriate action when an employee continues to fail to meet performance expectations or has committed a serious policy violation. At the discretion of the City Administrator/Manager, an employee may be suspended with or without pay for up to thirty (30) days and may be renewed for up to an additional thirty (30) days at a time for review and documentation of the circumstances.

Performance Based Demotion

Appropriate action when an employee has failed to perform the essential duties of a position or for improper conduct. A reduction in pay and/or a change in job classification will accompany a performance-based demotion. Demotion should only be utilized after other less severe disciplinary measures have been taken unless the seriousness of the policy violation results in a loss of confidence in the employee's ability to perform effectively and warrants immediate demotion.

Separation by Involuntary Dismissal

It may be appropriate and necessary to violate any of the City policies, including but not limited to those listed herein, or when an employee fails to demonstrate the leadership effectiveness or technical skills or knowledge required to perform one or more essential functions of a position. Other progressive disciplinary steps should be utilized first, and involuntary termination should be used as a last resort. However, the progressive or preliminary steps are not necessary for any of the following:

- 1) The employee commits a serious violation of this policy manual or other City policies.
- 2) The employee's work performance is so flawed that it requires immediate replacement of the employee.
- 3) The employee obtained or maintained employment by fraud, deception, or dishonesty.
- 4) Serious misconduct or unethical or illegal activity.

Except in the case of oral warnings, disciplinary action, when appropriate, must be accomplished or preceded by oral or written notice to the employee involved. The exception may be when the behavior, action, or violation is so grievous that it warrants a higher level of disciplinary action. The notice includes a description of the reason for the action and, except in the case of dismissal, states the consequences of further unsatisfactory performance or conduct. Written notice of disciplinary action is included in the employee's personnel file.

Disciplinary action does not automatically or permanently disqualify an employee from consideration for future promotion, pay increases, commendations, or other beneficial official personnel actions.

Section 12.08 Grievances/Appeal

It is the policy of the City, as far as possible, to prevent the occurrence of grievances and to deal promptly with those which occur. No adverse action will be taken against an employee for his or her exercise of the grievance right.

A grievance may be filed by an employee on one or more of the following grounds: improper application of rules, regulations, and procedures (but not the rules, regulations, and procedures themselves); unfair treatment; illegal discrimination based on race, religion, color, sex (including sexual harassment), age, disability, or national origin; disciplinary action taken without appropriate justification; improper application of fringe benefits; improper working conditions, or any violation of state or federal law.

The City of Venus follows a progressive grievance procedure that ensures the employee of due process in the City's consideration of his or her work-related grievances: the right to be represented, the right to mount a defense, and the right to present written response(s) regarding a resolution of the grievance.

An employee may appeal the decision of a supervisor to a department head and, through the chain of command, to the City Administrator/Manager. The decision of the City Administrator/Manager is final.

The following procedures apply to employees:

Informal Grievances

The first step in the grievance procedure is for the employee to try to resolve it by informal conference with their supervisor. If this informal conference does not resolve the problem(s) satisfactorily to the employee, they may file a formal, written grievance.

Formal Grievances

Formal grievances must be in writing, signed by the employee, and presented to the employee's department head within 10 working days after the alleged grievance occurred. The grievance document shall include the following:

- The names of everyone involved in the grievance, either as a party whose action is subject to the grievance or as a witness.
- A description of the appeal basis sufficient to appraise the decision maker of the grievance's nature.

- A description of any documentation or physical evidence that should be considered in determining the grievance.
- If a grievance involves a violation of law, a description of the city policy or procedure, ordinance, state, or federal law, if any, which the employee in good faith believes has been violated or may be relevant to the appeal, as well as a description of how the provision is relevant to the grievance.
- A statement of the specific remedial action requested by the employee.

Representation

An employee may be represented throughout the grievance process by a representative of his or her choice, including another City employee.

Department Heads' Duties

After being presented with a written and signed grievance, the department head will (1) consult with the employee and such other persons as may be necessary to gather the facts; (2) notify the City Administrator/Manager; (3) attempt to resolve the grievance with the employee and, if requested by the employee, with the employee's representative; and (4) communicate the decision to the employee in writing within 10 calendar days after receipt of the grievance, sending a copy of the decision to the City Administrator/Manager.

Appeal

If the employee either receives no written decision from the department head within ten (10) working days from the date the grievance was filed, or the employee is not satisfied with the proposed resolution, he or she must deliver to the City Administrator/Manager a written statement notifying the City Administrator/Manager of the employee's desire for an additional review of the grievance within five (5) calendar days. The City Administrator/Manager will review the facts and the file, meet with the parties involved, and respond in writing to the employee within fifteen (15) working days of the date the appeal was received in the City Administrator/Manager's office. The decision of the City Administrator/Manager is final.

Maximum Periods

At each stage of the grievance process, the periods specified are maximums. Grievances should be dealt with promptly, and written responses should be provided as quickly as possible, preferably within 10 working days in simple grievance matters. In no case should the total time for a final resolution exceed 40 calendar days. An employee may appeal the decision of a supervisor to a department head and, through the chain of command, to the City Administrator/Manager. The decision of the City Administrator/Manager is final.

Grievances Relating to Sexual Harassment or Discrimination

Any employee may file a grievance related to alleged sexual harassment or discrimination based on race, religion, color, sex, national origin, age, or disability. Any complaint relating to sexual harassment shall be filed under Article 8: Anti-Harassment Policy. The grievance relating to discrimination should be filed according to the procedure outlined in this section.

Documentation

A copy of all documentation relating to the grievance will be forwarded to the Human Resource Manager's office immediately upon conclusion of each step in the grievance process to be placed in the employee's personnel file.

Requirement for Appeal if Dissatisfied

If the employee is dissatisfied with any decision during the grievance process, he or she must appeal to the next step within the established period. Failure to appeal is a determination that the employee is satisfied with the final decision.

Article XIII. SEPARATION FROM EMPLOYMENT

Section 13.01 Types of Separations

All separations of employees are designated as one of the following types:

- Resignation
- Retirement
- Reduction in Force
- Dismissal
- Disability
- Death

Section 13.02 Resignation

An employee who intends to resign must notify their supervisor, in writing, of the date on which they wish to resign. This notification should be given at least eight (8) working days – or two (2) full workweeks if public safety – before the employee's last day of employment. The supervisor is responsible for notifying the City Administrator/Manager within 24 hours.

An employee who resigns without sufficient notice is subject to having a written reprimand placed in his or her file documenting this violation of personnel policies, unless there is a valid reason for not giving sufficient notice that is approved by the City Administrator/Manager. It may also result in a "not eligible for rehire" status.

An absence of three or more working days without proper notice to the City constitutes abandonment of position and will be treated as a voluntary resignation not in good standing

and will not be eligible for rehire unless the City Administrator/Manager determines otherwise and notes the same in the employee's personnel file.

Failure to return from a leave of absence as arranged with the City constitutes abandonment of position and will be treated as a voluntary resignation not in good standing and will not be eligible for rehire.

Failure to return from reduction-in-force upon recall constitutes abandonment of position and will be treated as a voluntary resignation not in good standing and will not be eligible for rehire.

Absence Over 180 Days

An employee absent from work for more than 180 calendar days will be terminated, except as provided below. Brief appearances at work during an overall absence of 180 days (about 6 months) will not prevent the City from terminating an employee if it is determined to be in the City's best interest due to the needs of the organization. Likewise, any employee who reports to work (e.g., in a modified duty capacity) but cannot perform the duties of his or her current position for 180 days (about 6 months) may be terminated.

Nothing in this policy guarantees an employee ongoing employment for 180 days (or for any other period) if it is determined that the employee will be unable to return to full-time active duty within 180 days. The City may elect to end the employee's employment before the expiration of 180 days (about 6 months) if it is unlikely that the employee will be able to return to full-time active duty at the end of 180 days (about 6 months). An employee who has a paid leave balance remaining at the end of 180 days (about 6 months) will be terminated and paid for the leave balance. This policy will be administered consistently with the City's obligations under the Americans with Disabilities Act, including considering extending leave as a reasonable accommodation.

The City, at its option, may elect to accept a resignation immediately.

Section 13.03 Retirement

The same notice requirements for resignation apply in the case of retirement except that a longer period of advance notice, minimum thirty (30) days, is required to start retirement payments promptly.

See section 6.01 of these policies under the main heading of Employee Benefits for additional information on retirement.

Section 13.04 Reduction in Force

An employee may be separated when his or her position is abolished, or when there is either a lack of funds or a lack of work.

When a regular employee who has completed the probationary period is dismissed due to a reduction in force, they will be given at least two weeks' written notice and paid in full to the time of discharge including accrued benefits. When reductions in force are necessary, decisions on individual separations will be made after considering (1) the relative necessity of each position to the organization, (2) transferability of the employees' skills to remaining positions with the City, and (3) the employee's length of service with the City. In addition, the City department head will attempt to guide the employee to any available suitable job openings in the area for which the employee qualifies.

Former employees affected by a reduction in force may apply for any future open City positions. Qualified former employees will be given priority in the event of a vacancy. If hired, they would be treated according to the policy in Article 4, Prior Service with the City.

Section 13.05 Dismissals

Dismissal During Probation

At any time during the probationary period a new regular employee may be dismissed if, in the Department Head's opinion, based upon a recommendation of the employee's supervisor, the employee is either unable or unwilling to perform the duties of the position; or if the employee's dependability does not merit continuance of City employment; or for other reasons as provided elsewhere in these policies. Release during probation is non-grievable and the probationary employee does not have the right to a pretermination meeting.

Pre-Termination Hearing

Prior to dismissal, a meeting with a regular employee who has completed the probationary period will be held to inform the employee of his/her termination and the reason(s) for this termination. The supervisor or Department Head shall prepare a concise written statement of the reason(s) for the proposed dismissal and furnish a copy to the employee at the meeting. The description shall be placed in the employee's personnel file.

The terminated employee will have three (3) business days to present to the supervisor or Department Head or supervisor reasons why dismissal should not occur. Reasons can be presented orally or in writing at the employee's option. The Department Head or supervisor will provide the employee with a final decision, in writing, within three (3) business days.

Post-Termination Hearing

If a City employee who has completed the probationary period is dismissed, or regardless of probationary status if the employee alleges that the termination constitutes a violation of

law, he or she may appeal the dismissal by requesting a hearing before the City Administrator/Manager. The dismissed employee shall request the hearing in writing and shall include in the request the following information:

- The names of everyone involved in the appeal either as a party whose action is being appealed or as a witness.
- A description of the appeal's basis sufficient to appraise the City Administrator/Manager of its nature.
- A description of any documentation or physical evidence considered by the City Administrator/Manager in determining the appeal.
- A description of any City policy or procedure, ordinance, State or Federal law, if any which the employee, in good faith believes may have been violated or which may be relevant to the appeals as well as a description of how the provision is relevant.

The request must be received in the Human Resources Director's office not later than seven (7) calendar days after the effective date of the dismissal. If the dismissed employee timely requests a hearing, the employee's status between the effective date of dismissal and the date of the final decision on the appeal constitutes an indefinite suspension without pay.

The hearing will be before the City Administrator/Manager. The Human Resources Director shall notify the appealing employee by certified mail, return receipt requested, addressed to the employee's address of record or by personal, hand delivery, of the location, date, and time of the hearing. The Human Resources Director shall include with the notice a concise written statement of the alleged reason(s) for the employee's dismissal. The City Administrator/Manager shall conduct the hearing within thirty (30) calendar days from the date of the employee's request for a hearing unless both the City Administrator/Manager and the appealing employee agree upon a postponement.

The appealing employee is entitled to appear in person at the hearing, to be represented by legal counsel, to present witnesses and documentary evidence, and to confront and examine adverse witnesses. The Texas Rules of Civil Procedure do not apply at the hearing, and the City Administrator/Manager may exclude irrelevant, immaterial, or unduly repetitious evidence.

The City Administrator/Manager shall decide on the appeal within fifteen (15) calendar days after completion of the hearing.

The City Administrator/Manager shall affirm or reverse the dismissal at their discretion and the decision shall be final. If the finding is in the employee's favor, the City Administrator/Manager may award the appealing employee back pay and all benefits or may

substitute other appropriate disciplinary action. The Human Resources Director shall notify the appealing employee of the decision by certified mail, return receipt requested, addressed to the employee's address of record or by personal hand delivery. The City Administrator/Manager's decision on the appeal is final.

Section 13.06 Disability

In cases of long-term disability where an employee is unable to return to work for a period of time which would cause an undue hardship to the City to hold the position open, and if no position is available which the employee could perform with a reasonable accommodation by the City, the employee will be separated from employment with the City. (See section 13.02 for additional information.)

Section 13.07 Death

If a City employee dies, his or her estate receives all pay due and any earned and payable benefits as of the date of the death unless a specific beneficiary for unpaid compensation has been named by employee in a signed and notarized designation filed with the City. If probate is not opened, the legal heirs may apply for payment and shall be requested to provide proper indemnification and execute all documents deemed necessary by the City to receive payment of any earned and payable benefits or wages.

Section 13.08 Calculation of Separation Pay

Upon voluntary separation from City employment, a regular employee who has completed at least one year of continuous employment will be paid for accrued unused vacation leave up to the maximum allowable accumulation limit.

Payment for accrued unused vacation leave balances will be included in the employee's final paycheck and will be calculated in the following manner:

The total work time and allowable vacation (see Article 7 on Employee Leaves to determine allowable vacation) and compensatory leave time for nonexempt employees will be calculated as a total number of hours for which compensation is due and paid at the employee's regular hourly rate in effect at the time of termination. The employee's regular hourly rate will be determined for most employees by dividing the employee's regular annual salary amount by 2080 hours (about 3 months) per year.

To determine the regular daily rate of pay for police officers and employees of other around-the-clock operations, divide the employee's annual salary (excluding overtime pay) by 365 days (about 12 months) per year. The result is the employee's regular daily rate. To determine the number of days of vacation and compensatory time due, divide the employee's total

accrued vacation and compensatory hours by eight (the number of hours in a normal workday). The result is the number of days' pay due. Then multiply the total number of days' pay due for vacation and compensatory leave time by the employee's regular daily rate. The result is the lump sum due to the employee for accrued vacation and compensatory leave time.

For employees who are subject to the Fair Labor Standards Act, any overtime hours worked during the employee's final pay period, which have not been compensated through any of the time-off methods described under the Overtime Compensation section in these policies, will be paid in the final paycheck at a rate of one and one-half times the employee's regular hourly rate for each overtime hour worked.

Compensatory time for nonexempt employees, which has been entered and carried on continued the employee's records at one and one-half times the number of hours worked, will be paid at the regular rate of pay for the employee at the time of separation for the total number of hours on the employee's compensatory time record.

Unused medical leave will be canceled upon termination of employment, and the employee will not be compensated for it.

The employee will receive their final paycheck on the next regularly scheduled payday after their last day of employment.

Section 13.09 Documentation/Exit Interviews

Reason(s) for a separation are stated in writing, signed by the City Administrator/Manager, and except in unusual or emergency circumstances, signed by the employee. The department head of an employee who is separated shall discuss with the employee the reason(s) for the separation in an exit interview whenever possible. The exit interview record is important and may be instrumental in determining the City's liability, or lack of liability, for unemployment insurance costs.

Section 13.10 Continuation of Group Insurance

The federal Consolidated Omnibus Reconciliation Act of 1985 (COBRA) provides individuals with the option of continuing group health insurance coverage, under specified conditions and at the individual's full expense, beyond the date which the insurance would otherwise terminate. A booklet from the City's group insurance carrier is given to each employee at the time of employment which explains these options under the City's carrier at the time the employee is hired. Later revisions in group insurance coverage are explained in subsequent booklets distributed to each employee when the coverage revision is effective.

Each covered employee is responsible for notifying the City of any change in family status-separation, divorce, or a child becoming ineligible for dependent coverage. If the change would cause the employee or a covered dependent to become ineligible for City's-supplemented group insurance, the City will provide a "Continuation of Coverage Elected Form" to be completed by the appropriate person(s). Specific time periods must be met, and full premiums must be paid in a timely manner by the employee or the applicable spouse or child.

Article XIV. PROFESSIONAL DEVELOPMENT

Section 14.01 General Policy

The City encourages its regular full-time and part-time (at least 20 hours per week) employees to take advantage of educational or training opportunities and professional memberships which are related to and will enhance the performance of their work with the City.

An employee's department head, and the City Administrator/Manager must approve educational and training courses that require payment by the City, release from City duty, or which might interfere with the employee's duties for the City.

Section 14.02 Required Attendance at Seminars and Conferences

When the City requires an employee to attend any educational or training course, conference, or seminar, the City will provide the necessary time off with pay and will reimburse the employee for associated costs, including tuition or registration fees, hotel costs, and/or airline or other public transportation costs. See additional information in Article 15 sections of these policies regarding Travel and Subsistence.

Section 14.03 Professional Memberships and Seminars

Subject to the prior approval of the City Administrator/Manager, an employee who joins a professional association related to his or her work at the City may be reimbursed for dues and necessary travel expenses when meetings are judged to offer special training or information of value to the employee in his or her work at the City. Likewise, subject to the City Administrator/Manager's prior approval, an employee may be reimbursed for conference or seminar expenses if the conference or seminar is related to his or her work and proper authorization is obtained in advance.

Article XV. TRAVEL AND SUBSISTENCE

Section 15.01 General Policy

The policy of the City is that employees are to be reimbursed fully for necessary and reasonable job-related expenses incurred in the authorized conduct of City business, including business-related travel. All travel expenses are subject to requirements of documentation and reasonableness and will be honored in conformity with adopted policies, provided that the trip was properly authorized and that funds are available in the department's budget. In some cases, the City may prepay such expenses as registration fees, hotel costs, and/or airline or other public transportation costs directly to the entity involved.

Expenses not permitted under grants, contracts, or agreements with other agencies will not be charged as costs to those grants, contracts, or agreements.

Section 15.02 Subsistence Expenses

Employees engaged in necessary and authorized travel in the conduct of the City's business will be reimbursed for actual costs of reasonable and documented expenses necessary to conduct business for the City. Reimbursable subsistence expenses will be for food (based on Federal Per Diem rates found), registration, lodging, official business telephone calls, parking, tolls, taxi, and reasonable gratuities. The City pays only the single room rate for hotel/motel rooms. If a double room is required, the employee will pay the difference between the single and double room rate. If two employees share a double room, the double room rate is allowable. Under certain circumstances, when the City is host to other jurisdictions or when special facilities are required, the cost of a suite may be authorized as an allowable expense.

The exception will be those employees who have been issued a City credit card, and, in that circumstance, all expenses will be charged to the credit card, and the employee will be responsible for submitting receipts accounting for all expenses paid.

Section 15.03 Personal Vehicles

Where use of a personal vehicle is judged to be the most reasonable means of transportation to conduct official City business, reimbursement will be at the maximum rate allowed by the Internal Revenue Service for personal vehicle use for business purposes. Employees are expected to report the shortest distance between the point of departure and destinations for all travel. Travel between an employee's residence and the City office is not eligible for reimbursement.

Section 15.04 Exceptions

Employees who receive monthly automobile allowances are not eligible for mileage reimbursements for travel within the Venus area. Employees who travel in a personal vehicle will be reimbursed for documented fuel costs, oil, or other expenses related to the safe operation of the vehicle that were necessary during the employee's use of the vehicle.

When two or more employees travel in a single automobile, only one employee will receive per-mile or other automobile reimbursements.

Conference registration checks will be made payable only to the organization sponsoring the conference.

Section 15.05 Prohibited Expenditures

Costs of personal entertainment, spouses' expenses, amusements, social activities, alcoholic beverages, traffic citations, or illegal activities are not allowable for reimbursement. There may be instances in which business or conference social activities beneficial to the City are allowable expenses. Such instances must be approved by the City Administrator/Manager after consultation with the City Attorney.

Section 15.06 Expense Report

As soon as an employee returns from a trip, or at least within five days of the date the trip was concluded, he or she must complete an expense report form documenting any actual expenses incurred on the trip that were not prepaid directly by the City to the entity involved. The City will issue a reimbursement check to the employee for allowable out-of-pocket expenses. All reimbursements must be approved by the department head.

Appendix A

Receipt of Personnel Manual City of Venus Personnel Policy

EMPLOYEE ACKNOWLEDGEMENT

I hereby acknowledge receipt of the City of Venus Personnel Policy Manual and further acknowledge my responsibility to read, understand, and abide by all current and future revisions of the “City of Venus Personnel Policy Manual.”

I further understand that the City of Venus periodically updates this policy and that the most current version always supersedes any previous version and that I can request a copy of the manual from the City Secretary at any time.

(Print Name)

(Employee Signature)

(Date)

Appendix B

Anti-Harassment Policy Acknowledgment and Claim Form

I hereby acknowledge receipt of the City of Venus Anti-Harassment Policy contained in the City of Venus Personnel Policy Manual, as well as a copy of the Harassment Complaint Form. I understand that I am responsible for reading, understanding, and complying with such policy and any amendments or modifications thereto.

I further agree to comply with and follow the policies and procedures outlined in the City of Venus Anti-Harassment Policy. I agree to follow the procedures established by said policy and any amendments or modifications thereto throughout my employment with the City of Venus.

(Print Name)

(Employee Signature)

(Date)

City of Venus Harassment Complaint Form

Your Name: _____ Date: _____

Title: _____ Phone Number: _____

Department: _____

Complaint Information

Date of Incident: _____ Time of Incident: _____

Location of Incident: _____

Please describe the incident in detail (use separate additional pages if necessary):

If others have witnessed the incident, please provide their names and phone numbers below:

Is this the first time you have raised this concern about this person?

___ Yes ___ No

Do you have any suggestions for resolving the complaint? If so, please explain.

(continued on next page)

Do you have any additional information or complaints? If so, please explain.

Signature: _____ Print Name: _____

Appendix C

Deduction Authorization Agreement

I, _____ (print name), hereby agree, consent, and authorize the City of Venus to deduct from any payroll checks or deposits or other payments due me for the following:

- 1) Any costs associated with the Employee's use of the City of Venus's facsimile, copy machines, office supplies, postage or other VENUS property or equipment other than use in connection with City business.
- 2) Any amounts due and owed to the City of Venus because of fraud, embezzlement, theft, or any unauthorized use of any City property, goods, services, or other assets by Employee.
- 3) Any amounts owed for the value of any City property not returned to the City of Venus by an Employee upon termination, including uniforms, equipment, supplies, etc.
- 4) Any sums due and owing to the City of Venus from Employee for Employee's portion of any benefit plan established by or participated in, including but not limited to, medical insurance or retirement plans, or any other employee benefits; and
- 5) All amounts that are required by law through attachment, garnishment, levy, withholding or other legal or judicial process to be paid by the City of Venus to others on behalf of or for the benefit of Employee, including but not limited to wages or salary that are garnished or attached by state or federal agencies for payment of child support or other obligations.
- 6) Reimbursement for overpayment.

I agree that all applicable deductions, including but not limited to those listed above, may be withheld from any paycheck or other payment due to me throughout my employment with the City of Venus or upon termination of employment with the City of Venus, whether the termination is voluntary or involuntary.

I further specifically agree and acknowledge that in the event the City of Venus does not withhold any amount due and owing from any payroll check or payment, the City of Venus has not and does not in any way waive or otherwise modify or limit its ability to make deductions from subsequent payroll or other checks or payments or to pursue any other remedy or proceeding to collect sums alleged to be due from me. I agree and acknowledge

that the City of Venus may make or not make deductions from any payroll or payment check at its sole discretion and is not in any way limited for not doing so.

Further, in the event the amounts due to the City of Venus exceed the available amount of payroll or paycheck in any pay period, the Employee shall, upon request from the City of Venus make such additional payment to the City to extinguish in the full amount due and owing to the City of Venus for any excess due.

_____ Date: _____
Employee Signature

Appendix D

Non-Disclosure/Confidentiality Acknowledgement and Agreement

I understand that as an employee of the City of Venus, I may become aware of, process, or otherwise learn confidential or proprietary information concerning the City, its customers, or its employees. I understand that as an employee of the City of Venus, I have an obligation to the City to keep confidential and not to disclose all confidential information that I learn or may become aware of because of my position with the City, unless otherwise required by law to disclose.

I further agree that I will not disclose or remove City of Venus property (either physically, by copying or transferring electronically) an confidential or proprietary information of either the City of Venus, its customers or employees, including but not limited to any materials, documents, data, software, correspondence or communications, emails (electronic or written), notes or otherwise which relate to, concern, or belong to the City of Venus, its customers or employees without express written permission of the City Administrator/Manager.

I agree that the confidentiality of information and my agreement not to disclose that information and to maintain such confidentiality shall continue even after I am no longer employed by the City of Venus.

I understand that violations of the Non-Disclosure/Confidentiality Agreement will not be tolerated and will subject me to disciplinary action, up to and including termination by the City of Venus and may also subject me to individual liability and legal liability.

I confirm that I have read the above statements and agree with them and will in all respects adhere to all the terms of this Non-Disclosure/Confidentiality Agreement throughout and after my employment with the City of Venus.

(Print Name)

(Employee Signature)

(Date)

Appendix E

Public Access Option

**CITY OF VENUS
PUBLIC ACCESS OPTION FORM
TEXAS GOVERNMENT CODE SECTIONS 552.024 & 552.1175**

(Printed Name): _____

(Department/Position): _____

The Public Information Act allows employees, public officials and former employees and officials to elect whether to keep certain information about themselves confidential. Unless you choose to keep it confidential, the following information about you may be subject to public release if requested under the Texas Public Information Act. Therefore, please indicate whether you wish to allow public release of the following information.

Type of Information	Public Access?	
Home Address	YES	NO
Home Telephone Number	YES	NO
Social Security Number	YES	NO
Date of Birth	YES	NO
Information that reveals whether you have family members or a domestic partner.	YES	NO
Emergency Contact	YES	NO
Email Address	YES	NO

(Signature)

(Date)

Appendix F

Smoking/Tobacco Use Policy Acknowledgement

Purpose

Studies have shown that smoking and other tobacco use causes serious health problems in humans. Further, improperly disposing of smoking materials has been determined to be a fire hazard. The purpose of this Policy, therefore, is to safeguard the health and safety of employees and members of the public and to reduce the effects or other hazards caused by tobacco use.

Policy

Smoking and tobacco use by employees and the public are restricted by the guidelines set forth below. The policy is designed to protect all persons from unwanted exposure and the harmful effects of tobacco products.

Procedures:

- 1) Smoking and other tobacco use by employees are prohibited in all City of Venus-owned and operated vehicles, buildings, and facilities.
- 2) In addition to the above prohibitions, smoking and other tobacco use are also prohibited in the following areas:
 - a. Within 25 feet of any doorway, entryway or window of any City-owned property or property used by City of Venus employees.
 - b. Within 100 feet of any fuel island and/or fuel storage facility.
 - c. In any City-owned vehicle.
 - d. In personal vehicles used on City of Venus business when more than one person occupies the vehicle.
- 3) Signs and lettering will be posted on all City of Venus buildings stating, “No Smoking.”
- 4) The City Administrator/Manager may make an exception to this policy in writing at his or her sole discretion upon a written request by a department head.

Definitions

Smoking and tobacco use: Smoking and tobacco use are defined as the smoking, vaping, or use of any tobacco products, including but not limited to cigarettes, cigars, spit and

smokeless tobacco, chew, snuff, electronic cigarettes, and other non-FDA-approved nicotine delivery devices.

Responsibility

It is the responsibility of those who choose to use tobacco materials to do so following the guidelines above. Supervisors are responsible for monitoring adherence to this policy. New employees should be made aware of this policy. All employees and contractors of the City of Venus are expected to comply with this policy. Non-compliance with this policy will result in corrective action.

Smoking Cessation

Employees who are interested in quitting the use of tobacco products should review their Medical Benefits Covered Expenses document regarding Nicotine Replacement Therapy.

Acknowledgement:

I have read the attached revised Section 11.04 from the personnel policy, and I have had my questions answered. I understand the section and acknowledge my rights and responsibilities related to it.

(Print Name)

(Employee Signature)

(Date)

Appendix G

Social Media Policy Acknowledgement

ACKNOWLEDGEMENT AND UNDERSTANDING OF City of Venus Employee Social Media Policy

I have received my copy of the City of Venus Employee Social Media Policy. I know that I must read the policy so that I understand my rights and responsibilities as an employee of the City of Venus.

I also understand I may contact the City Secretary if I need additional information about this or any other policy or procedure of the City of Venus.

(Print Name)

(Employee Signature)

(Date)

This page is to be submitted to the City Secretary and will become a part of your employment file.

Thank you!

ITEM REPORT

To: City Council
From:
Subject: Discuss and consider the appointment of a new board member to Place 3 of the Venus Community Services Development Corporation.
Department/Office: Administration

Summary:

Recommended Action:

Budget:

Attachments:

None