



PERSONNEL & ADMINISTRATIVE REGULATIONS MANUAL TITLE I, II & III

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**CITY OF LAKE WORTH
PERSONNEL AND ADMINISTRATIVE REGULATIONS MANUAL**

**TITLE I
PERSONNEL REGULATIONS**

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CITY OF LAKE WORTH
TITLE I
PERSONNEL REGULATIONS

CHAPTER 1 GENERAL PROVISIONS

1.01 Objectives

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

This manual is designed to provide information regarding working conditions, employee benefits, and policies affecting employment. Employees should read, understand, and comply with all provisions of the manual. It describes many responsibilities as an employee and outlines the programs developed by the City to benefit employees.

No employee manual can anticipate every circumstance or question about policy. As the City continues to grow and as the need may arise, the City reserves the right to revise, supplement, or rescind any policies or portion of the manual from time to time as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is the “at-will” employment policy permitting the employee or the City to end the employment relationship for any reason at any time. Any future changes to the manual shall be communicated to employees through official notices. **Nothing in these Personnel Regulations shall be construed as a contract of employment, or a provision guaranteeing the specific terms of employment.**

The fundamental objectives of these rules and regulations are:

- A. To promote and increase efficiency, responsiveness to the public, and economy in the service of the City;

- B. To develop a program of recruitment, advancement, and tenure which shall make service to the City attractive as a career and shall encourage each employee to render his best services to the City;
- C. To establish and maintain an equitable and uniform plan of evaluation and compensation based upon the relative duties and responsibilities of positions within the City and to reward meritorious service;
- D. To establish and promote high morale among City employees by providing a good working environment, uniform personnel policies, and opportunity for advancement;
- E. To endeavor to comply with all applicable statutes and regulations, including all confidentiality and security safeguards set forth in the Texas Public Information Act, as amended.
- F. To provide an attractive, efficient, and safe environment by maintaining good physical working conditions and a planned safety program;
- G. To regard planned training, continuing education, and staff development activities as an investment for the mutual benefit of employees and the City;
- H. To communicate freely, and to encourage communication from and among all employees;
- I. To provide a work environment that is conducive to both personal and professional growth; and
- J. To safeguard any employee's right to be treated with respect, dignity, equity and fairness; where provided, the right to appeal any violation of these rights; and to assure the right of employees to present grievances through appropriate channels.

1.02 Statement of At-Will Employment

Employment with the City of Lake Worth is on an “at-will” basis. The employee may quit and the City may terminate the employee at any time, for any non-discriminatory reason or for no reason. The provisions of these policies are not intended

to create a contract of employment, or of any specific term or condition of employment, and no agreement or promise regarding an employee's terms or conditions of employment is binding on the City. The City has the right to change these policies at any time without prior notice. No verbal representation or statement of an employee's terms and conditions of employment is binding upon the City.

1.03 Equal Employment Opportunity Statement

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

- A. Equal opportunity in employment shall be provided to all persons.
- B. Discrimination against any person in recruitment, examination, selection, appointment, rate of pay, promotion and transfer, retention, daily working conditions, testing and training, awards, compensation and benefits, disciplinary measures, or any other aspect of employment or personnel management because of political or religious opinions or affiliations, or because of race, color, age, sex, national origin, disability, or another unlawful basis is prohibited.
- C. Unlawful discrimination on the basis of age, race, sex, color, national origin, religion, or disability is prohibited in the enforcement of these policies.
- D. Derogatory language against or about any person's age, race, sex, color, national origin, religion, or disability is prohibited.
- E. Retaliation, intimidation, coercion, or harassment against any applicant for employment or employee who may file a grievance under this policy and/or

who may file a grievance in accordance with existing statutory rights of appeal to appropriate governmental authorities is prohibited.

- F. Any employee who violates the prohibitions, or the letter or spirit, of this policy shall be subject to disciplinary action, up to and including termination.

1.04 Motivation and Knowledge of Employees

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

1.05 Applicability

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

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

1.06 Dissemination

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

1.07 Departmental Rules/Policies

Because of the variety of services performed by the City, it may be necessary for individual departments to establish codes of conduct, rules and regulations, and policies and procedures to accomplish departmental responsibilities. All such departmental

rules/policies may be more restrictive, but not less restrictive than these Regulations. An employee who violates departmental code of conduct, rules, policy or procedure is subject to disciplinary action.

1.08 Authority and Responsibility

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

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

1.09 Reservation of Authority

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

1.10 Date of Adoption

These Personnel Regulations are effective immediately upon approval by the City Council.

1.11 **Definitions**

- A. Any reference to any person in these Regulations by use of the masculine gender is for purposes of grammatical clarity only, and shall not be construed to exclude the feminine gender.
- B. Titles utilized herein shall not govern, limit, modify, or affect the scope of meaning or intent of any provision.
- C. Any provision contained herein that is found or determined to be illegal, incorrect, or inapplicable shall not affect the validity of the remaining contents.
- D. The words and terms used in these Personnel Regulations shall have the meaning indicated as follows: (unless the context in which the word is used clearly indicates otherwise):

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

ADMINISTRATIVE LEAVE means an authorized absence with pay.

ANNIVERSARY DATE means the month and date at which one (1) year or additional years of employment with the City is attained by a regular full-time employee.

BASE PAY means an employee's salary excluding longevity pay, incentive pay, overtime pay and any other additional compensation.

CITY means the City of Lake Worth, Texas.

CONTINUOUS SERVICE means employment with the City uninterrupted by leave of absence without pay or separation from City service unless absence or separation is related to FMLA or Military Leave.

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

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

DEPARTMENT means a major functional unit of City government.

DEPARTMENT HEAD means any person appointed by the City Manager who is responsible for the administration of a department, as identified on the City organization chart adopted by the City Council.

DEPENDENT means a person other than the employee's spouse that can be claimed as a dependent for income tax purposes.

DIVISION means a functional unit of a department, as identified on the City organization chart adopted by the City Council.

DIVISION HEAD means any person appointed by a Department Head who is responsible for the administration of a division, as identified on the City organization chart adopted by the City Council.

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

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

FULL-TIME EMPLOYEE means any employee scheduled to work forty (40) hours or more per work week.

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

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

JOB CLASSIFICATION means all positions, regardless of departmental location, that are sufficiently alike in duties and responsibilities to:

1. Be called by the same descriptive title;
2. Be accorded the same pay scale under like conditions; and/or
3. Require substantially the same education, experience, and skills.

LEAVE WITHOUT PAY means an authorized temporary absence without pay.

MANUAL means these Personnel Regulations.

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

MILITARY LEAVE means any authorized absence of an employee for active or

reserve duty or training in the United States armed forces.

MODIFIED DUTY ASSIGNMENT means a temporary reassignment of an employee with an illness, injury, or medical condition to duties that can be performed within the limitations of the employee's medical condition.

MONTH means one (1) calendar month.

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

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

PART-TIME EMPLOYEE means any employee scheduled to work less than thirty (30) hours per work period.

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

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

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

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

REGULATIONS mean these Personnel Regulations.

RESIDENCE means the actual place of abode of an employee.

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

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

SEPARATION means a voluntary or involuntary cessation of employment with the

City.

SERIOUS HEALTH CONDITION means an illness, injury, impairment, or physical or mental condition involving:

Inpatient Care: Care that requires an overnight stay in a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care.

Incapacity and Treatment: A serious health condition involving continuing treatment by a health care provider includes a period of incapacity of more than three consecutive full calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:

- (i) Treatment two or more times within 30 days of the first day of incapacity (unless extenuating circumstances exist) by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or
- (ii) Treatment by a health care provider on at least one occasion that results in a regimen of continuing treatment under the supervision of the health care provider.

The first (or only) treatment by a health care provider must be an in-person visit and take place within seven days of the first day of incapacity.

A "regimen of continuing treatment" includes, for example, a course of prescription medication or therapy requiring special equipment to resolve or alleviate the health condition.

Pregnancy or Prenatal Care: Any period of incapacity due to pregnancy or for prenatal care.

Chronic Conditions: Any period of incapacity or treatment for such incapacity due to a chronic serious health condition that requires periodic visits (at least twice per year) to a health care provider, continues over an extended period of time and may cause episodic rather than a continuing period of incapacity.

Permanent or Long-Term Conditions: A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective, but requires continuing supervision of a health care provider.

Conditions Requiring Multiple Treatments: Any period of absence to receive multiple treatments by a health care provider for (1) restorative surgery after an accident or other injury or (2) a condition that would likely result in a period of incapacity of more than three consecutive full calendar days without the treatments.

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

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

TEMPORARY EMPLOYEE means any employee appointed to any of the following:

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

TERMINATION means a cessation of employment with the City.

TERMINATION DATE means the last day an employee works.

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

WORK DAY OR WORKING DAY means one eight (8) hour day.

WORK WEEK means a fixed, recurring period as follows:

1. 40 hours per week, which is defined as Monday 12:01 a.m. to Sunday 11:59 p.m., for regular full-time employees; Telecommunications

Officers defined as Monday 6:00 a.m. to Monday 5:59 a.m., for regular full-time employees;

2. 56 hours per week average, and 212 hours over a 28-day cycle for firefighter shift personnel, defined as Monday at 7:00 a.m. to Monday at 6:59 a.m.; and

3. 86-hour work schedule within a 14-day work cycle for non-exempt police patrol personnel; defined as Monday at 5:00 a.m. to Monday at 4:59 a.m..

CITY OF LAKE WORTH

TITLE I

PERSONNEL REGULATIONS

CHAPTER 2 RECRUITMENT AND EMPLOYMENT

2.01 Vacancy Identification

Employment procedures are administered by the Human Resources Division. Prior to the announcement of vacancies, the Department Head shall notify the Human Resources Division.

2.02 Announcement of Vacancies

The Human Resources Division shall publicly announce all vacancies to be filled in the City service, except in special circumstances where transfer, interim promotion, promotion, or reinstatement, is deemed in the best interest of the City, and shall maintain a list of announced vacancies for public inspection. As deemed necessary, vacancies shall be advertised in accordance with procedures approved by the City Manager.

Each announcement shall contain a statement affirming the City's commitment to a policy of equal employment opportunity.

2.03 Applications for Employment

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

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

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

2.04 Requirements of Employment

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

- A. Be at least sixteen (16) years of age depending upon the requirements of each position;
- B. Have a social security number;
- C. Agree to be fingerprinted, if requested;
- D. Agree to a polygraph examination related specifically to job performance for positions designated by the City Manager, if requested and such examination is not prohibited by law;
- E. Where permitted by law, pass a physical and/or psychological examination administered by a licensed medical examiner selected by the City, to ensure ability to perform essential duties of the job;
- F. Pass post-offer alcohol and drug screening tests;
- G. Satisfactorily complete any interviews, examinations, and performance tests, if required because of job duties;

- H. Show proof of United States citizenship, legal residence, or other documentation that establishes employment eligibility in the United States, as required by the Department of Justice;
- I. Possess a valid Texas driver license and have an acceptable driving record in compliance with City policy, where applicable, unless waived by the City Manager;
- J. Meet minimum requirements of the job description for which employment is sought and submit to all other employment procedures administered by the Human Resources Division.

2.05 Nepotism

A. Elected Officials and City Manager

No person related within the second degree by affinity (marriage or law) or within the third degree by consanguinity (related by ancestry or blood) to any elected officer of the City or to the City Manager shall be appointed to any permanent paid office, position, clerkship or other service of the City.

B. Employees

No City employee shall be regularly supervised directly by a relative on an ongoing basis. City employees shall not be transferred or promoted into positions that would cause them to be in an ongoing supervisor/subordinate relationship with a relative.

The hiring and promotion of relatives shall not be allowed if that action creates a conflict of interest for the City as determined by the City Manager. When any relationship through consanguinity or affinity presents a conflict of interest for the City, the City reserves the right to take appropriate action to eliminate the conflict.

C. For purposes of this section, a relative includes the first, second, and third degree of consanguinity (blood or adoption); the first and second degree of affinity (marriage); unmarried couples living together; and roommates.

- D. Persons related through the third degree of consanguinity (blood or adoption) include:
 - a. First Degree – father, mother, daughter, or son.
 - b. Second Degree – brother, sister, grandparent, grandson or granddaughter.
 - c. Third Degree – uncle, aunt, niece, nephew, great grandparent, great grandson, or great granddaughter.
- 2. Persons related through the second degree of affinity (marriage) include:
 - a. First Degree – husband, wife, son-in-law, daughter-in-law, mother-in-law, father-in-law, stepmother, stepfather, stepson, or stepdaughter.
 - b. Second Degree – brother-in-law, sister-in-law, or spouse's grandparent, grandchild, step-grandparent, stepsister or stepbrother.
- E. If a relationship is created that is prohibited by this regulation, one of the affected employees shall be required to transfer to another position that would eliminate the prohibition by this regulation, provided a position is available and the employee is selected for the position, or one of the affected employees must separate from City employment.

2.06 Referral and Selection

The Human Resources Division shall provide all applications to appropriate departments for the selection process. The hiring supervisor making the selection shall report to the Human Resources Division the disposition of all referred applicants and the reasons therefor.

2.07 Evaluation

The appropriate supervisor shall review all applications and shall endeavor to select not less than two (2) applicants for interviewing and evaluating against job requirements to identify the best qualified. In addition to review by the hiring supervisor, every reasonable effort should be made by the Human Resources Division to review all applications to ensure they meet minimum requirements. Reference checks, interviews, ability to perform job tasks, background checks, performance tests, written tests, and/or other screening procedures shall be used as appropriate.

Applicants shall be required to provide any information and undergo any examination necessary to demonstrate compliance with prescribed qualifications for the positions involved.

2.08 Disqualification

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

2.09 Disability Accommodation

All departments of the City shall make reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee, unless an undue

business hardship can be demonstrated. A department may not deny any employment opportunity to a qualified disabled person if the basis for the denial is the individual's disability or the need to make reasonable accommodation to the physical or mental disability of such person, unless an undue business hardship can be demonstrated.

2.10 New Hire Briefing

- A. The Human Resources Division shall conduct a briefing for new regular full-time and part-time employees, which at a minimum, should include the following information:
 - 1. Personnel and Administrative Regulations Manual (PARM);
 - 2. Retirement and Insurance Benefits;
 - 3. Worker's Compensation and Safety Requirements; and
 - 4. Other Benefits.
- B. During the briefing, the new employee shall complete the following:
 - 1. All required forms, including all forms concerning payroll deductions for state and federal requirements; and
 - 2. The employee shall sign the Employee Acknowledgement Form upon receiving the PARM. Failure to sign the Employee Acknowledgement Form shall result in termination.
- C. The Department Head or his designee shall orientate the new employee regarding departmental and/or divisional standard operating procedures, attendance, lunch periods, safety, and other pertinent matters.

2.11 Probation Period

All new employees hired to fill regular full-time positions must satisfactorily complete a probationary period of six (6) months.

2.12 Type of Appointments

Appointments shall be designated either regular or temporary. Regular appointments shall ordinarily be of indefinite duration and may be made to full-time or part-time positions. Limited term regular appointments may be made in unusual circumstances if approved by the City Manager.

Full-time and part-time temporary appointments shall ordinarily be limited to six (6) months.

2.13 Emergency Temporary Positions

Whenever an emergency exists, which requires the services of personnel who are not otherwise available, such personnel may be immediately appointed by the City Manager for a period not to exceed thirty (30) working days without regard to normal recruitment and selection requirements. Emergency temporary appointments shall not be renewable without the approval of the City Manager.

2.14 Reemployment

Consideration for reemployment of any former employee may be granted to those applicants who can demonstrate acceptable prior service. If an applicant was previously employed by the City of Lake Worth, and during such employment, the applicant tested positive for drugs or alcohol, or refused to submit to a drug or alcohol test, the applicant shall not be eligible for re-hire. Employees who leave the employment of the City and are re-hired shall be treated as new hires in respect to their longevity, service, and hire date. In addition, all applicants reemployed must meet current minimum qualifications of the job. Exceptions to this policy can only be approved by the City Manager.

2.15 Health Fitness

It is the continuing responsibility of each employee to maintain the standards of physical and mental health fitness required for performing the essential duties of his position. An employee who becomes aware of a medical or mental disability which may

affect his ability to perform the essential duties of his assigned position must inform his Department or Division Head. When it is suspected that the health condition of an employee constitutes a hazard to persons or property, or prevents the employee from effectively performing his essential assigned duties, the employee may be required by his Department Head to submit to a health examination. The employee shall be paid for the time required for such examination. Authorization for disclosure of all reports to the City shall be a condition of continued employment with the City.

A Department Head or the Human Resources Division may require an employee to take a mental or physical examination to maintain continued eligibility for employment in his classification and failure to comply may result in disciplinary action. Authorization for disclosure of all reports to the City shall be a condition of continued employment with the City. The Human Resources Division shall develop, promote, and assist Department Heads in implementing those programs and procedures necessary to maintain the required level of physical and/or mental health fitness in those departments and/or positions where such fitness is conditional to employment and job performance. If an employee is unable to perform the essential duties of his assigned position, reasonable accommodations may be made by the city to provide for the employee to perform such duties. If a reasonable accommodation cannot be made and the employee is unable to perform the essential duties of his assigned position, he may be terminated.

2.16 Promotion

Insofar as may be consistent with the interests of the City, vacancies in higher classifications shall be filled by promotion of qualified employees in lower classifications, when possible. To be eligible for a promotion, an employee must meet the current minimum requirements for the vacant position and all requirements for employment with the City. However, a promotion to a position in another department shall not be allowed until the employee has reached six (6) months of service with the City. A promoted employee who, in the judgment of management, is not successful in the new position may

be removed from that position at any time. If this occurs, the employee may be allowed to return to his former job, or to a comparable job for which the employee is qualified, depending on the availability of such positions, the City's needs, and upon approval of the Department Head.

2.17 Interim Promotion

The City Manager may authorize an interim promotion to ensure the proper performance of City functions if a position is vacant or its regular incumbent is absent. An employee so promoted shall be additionally compensated at the rate of pay for the position to which the employee is temporarily promoted for the duration of his interim assignment.

Interim promotions shall not be used to circumvent normal selection procedures. The employee involved shall not acquire any status or rights in the position to which temporarily promoted, except as provided above.

2.18 Transfers

A transfer not involving promotion or demotion may be effected at any time for administrative convenience, or upon request of the employee to his immediate supervisor with approval of the affected Department Head(s), provided the employee is qualified to perform the duties of the position to which transfer is contemplated, and meets the current minimum requirements for employment with the City. An employee transfer shall not be granted, however, until the employee has reached six (6) months of service with the City. Transfers may be made administratively or in conjunction with an announced selection process.

2.19 Non-disciplinary Demotions

With the approval of the Department Head, and if qualified to perform the duties of the lower-level position, an employee may be administratively demoted at his own request or as an alternative to reduction in force. Such demotion shall not be considered

disciplinary action or disqualify the employee involved from consideration for later advancement.

2.20 Verification of Employment/Employment References

The Human Resources Division is responsible for any verification of employment information or employment references requested by any member of the public. Upon request, all information subject to the Public Information Act shall be released in accordance with the Act.

2.21 Secondary Employment

- A. Each employee of the City shall understand that his position with the City of Lake Worth is his primary occupation, and it shall always take precedence over all secondary jobs. An employee who is working another job at the time of hire, and who intends to continue the other employment, must so advise the appropriate Department Head or designee, and receive approval to continue the secondary employment. A City employee is permitted to engage in any business, trade, occupation, or profession, including self-employment, provided prior written approval of the Department Head or his designee is secured. Such approval must be placed in the employee's personnel file. Failure to acquire prior approval is grounds for disciplinary action.
1. When engaged in secondary employment, the employee must notify the Department Head or designee in writing of the place and type of employment or business, and the hours of work.
 2. An employee whose position requires him to occupy an "on-call" status shall recognize such status as an obligation to the City of Lake Worth and shall fulfill that obligation if called to work for the City during these hours even while working on the second job.

3. Such secondary employment shall not be permitted if it will bring the City into disrepute, reflect discredit upon the employee as an employee of the City or interfere with the performance of the employee's City duties.
4. An employee shall not perform any outside work or engage in extra-duty employment at any time when the employee is on leave from the City for paid injury leave (workers compensation), sick leave, or family and medical leave, or medical incapacity leave. An employee shall not perform any outside work or engage in extra-duty employment within eight (8) hours after the employee's missed work period with the City due to the employee's illness or injury. Continuation of secondary employment approved by the appropriate Department Head or designee must be approved by the Human Resources Division when an employee has been injured in the course and scope of City employment.
5. No employee shall engage in any employment or business where the work performed by the employee or that of the employee's agents or employees is subject to approval/rejection, inspection, or licensing by the City except pursuant to authorized department policies. However, nothing in this section shall prohibit an employee from performing the same or other services that he performs for the City for a private or public organization if there is no conflict with his City duties and responsibilities.
6. No employee shall engage in any employment or business on a matter which is or has been the subject of an investigation by the employee's department within the last twelve (12) months, nor may the employee appear as a witness except by court order in any proceeding as a result of such employment.
7. No employee shall identify himself with his position, department, or the City of Lake Worth in:

- a. The course of a sale or solicitation for sale of any goods or services; or
 - b. The advocacy of any policy, practice, standard or position not officially sanctioned by the City.
- 8. These rules apply whether or not there is remuneration for the work or employment.

- B. Department Heads are prohibited from engaging in any form of secondary employment except as may be specifically approved by the City Manager. Department Heads may, by written directive and approval by the Human Resources Division and the City Attorney's office, specify prohibitions applicable to employees within their respective departments.
- C. An employee of the City of Lake Worth who holds another office of emolument or position of honor, trust, or profit shall be subject to the provisions of the *Texas Constitution*, Art. XIV, § 40.

2.22 Employee Job Performance Evaluations

Employee job performance shall be reviewed on no less than an annual basis to evaluate job performance and facilitate communications between employees and supervisors. Employee job performance evaluations shall be in writing. An employee's failure to meet job requirements or failure to satisfactorily perform job duties may result in disciplinary action, up to and including termination.

Each supervisor shall be required to file a performance evaluation report with the Human Resources Division no later than September 1st of each year for all employees having more than six (6) months of employment.

2.23 Training and Development

The city encourages its employees to further their education in subjects related to their work and to broaden their knowledge and skill in preparation for potential job responsibilities. To the extent consistent with budget constraints and with prior approval, the City shall reimburse registration, travel, meal, and other related costs incurred by eligible employees who attend job-related courses.

CITY OF LAKE WORTH

TITLE I

PERSONNEL REGULATIONS

CHAPTER 3 CLASSIFICATION AND SALARY ADMINISTRATION

3.01 Compensation Plan

The classification and compensation plan shall be periodically reviewed and may be revised by the Human Resources Division to reflect changing competitive positions and economic conditions and shall be submitted to the City Manager and City Council for approval. The provisions of the adopted Classification and Compensation Plan shall be outlined in the fiscal year budget.

3.02 Official Titles

Official titles shall be used in all personnel matters. Working or functional titles may be used upon approval of the Department Head and the Human Resources Division.

3.03 Salary Rates

In order to keep City salary rates current, uniform, and equitable, the City Manager or Human Resources Division may prepare an annual analysis of prevailing salaries for similar positions in the City's competitive labor market, taking into account the variables which may be pertinent in establishing salaries or recommending changes to existing salary rates. The City Manager may recommend whatever adjustments or revisions, including cost-of-living adjustments that may be necessary in order to maintain both the internal and external integrity of the salary rate structure.

3.04 Administration of Compensation Plan

Salary changes shall be administered in accordance with the following rules:

- A. New Hires: A new employee shall normally be compensated at the minimum pay of the approved pay grade. In exceptional circumstances, hiring above minimum pay may be authorized by the City Manager.

- B. Promotions: A newly promoted employee shall ordinarily be compensated at the minimum pay of the approved grade which would provide an increase in pay over that received in the previous classification in accordance with the current pay plan policy. If the minimum pay of the approved grade is equal to, or less than, the employee's current salary, the employee should receive compensation that would provide an increase in pay over his salary in the previous classification. The employee shall retain his original anniversary date for consideration of future pay increases.

- C. Transfers: An employee being laterally transferred to a job within the same Job Family Classification and the same Pay Grade shall continue to receive the same salary, unless a pay increase is requested, in writing, with justification by the Department Head and approved by the City Manager. The employee shall retain his original anniversary date for consideration of future pay increases.

- D. Maximum Pay: No employee shall be paid more than the maximum rate of his pay grade unless the employee was earning that amount prior to adoption. An employee, who is at or above the maximum pay rate, shall be frozen at his current pay until the ranges catch up with his salary through job market adjustments. However, the employee shall receive a lump sum payment, if he is eligible for an increase commensurate with the City's pay system. The salary pay ranges in the City's pay plans shall be reviewed annually on a rotating basis.

- E. Demotion: An employee voluntarily or involuntarily demoted for any reason shall be compensated as administratively determined. A

demotion shall not fall below the minimum rate or above the maximum rate for the pay grade of the new job.

- F. Acting Status: An employee may be assigned to an acting status position on a short-term basis, when he is assigned duties of another position, typically during a vacation leave period. An employee who has been assigned to an acting status position shall not receive additional compensation.
- G. Interim Status: An employee may be temporarily assigned to an interim status position in the event of a vacancy, newly created position or extended disability or illness of another employee. An employee who has been assigned to an interim status position shall receive additional compensation, as administratively determined.

3.05 Reclassification of Positions

The City Manager or Department Head may recommend to the Human Resources Division a reclassification of any position where a change in character of the position (e.g. duties, responsibilities, authorities, level of supervision or qualifications) or a study of related positions within or outside of the City organization, suggests a change is warranted. Unless otherwise approved by the City Manager, reclassification requests shall be submitted in conjunction with departmental budget requests. No reclassification shall occur for the purpose of circumventing regulations, rules or procedures relating to demotion or promotion. The employee's anniversary date shall remain the same. All reclassifications must be approved by the City Manager.

3.06 Salary Increases

Eligibility for compensation and pay increases shall be contained in the Classification and Compensation Plan, which is included in the City's annual budget. The Classification and Compensation Plan is periodically reviewed and may be revised in the annual budget. Employees hired April 1, or later, are not eligible for new fiscal year merit increases.

3.07 Reduction in Salary

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

3.08 Regular Rate of Pay

An employee's regular rate of pay includes the employee's base salary, longevity pay, incentive pay and premium pay, as applicable.

3.09 Compensation of Temporary and Part-Time Employees

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

3.10 Overtime (Excluding Firefighter Shift Personnel, Police Patrol Personnel, and Exempt Personnel)

- A. Non-exempt personnel may be required to work hours in excess of their official established hours when necessary, as determined by departmental management. Specific extra work assignments shall be rotated and allocated as evenly as possible among employees qualified to do the work. Employees are expected to respond to a reasonable request to work extra hours and may be subject to disciplinary action for failing to stay or report for such hours.
- B. Employees performing work at any time, other than scheduled working hours, including taking work home, is strictly forbidden unless authorized in writing by the employee's supervisor. Prior to working on such occasions, employees must verify such hours with their supervisors to make certain that overtime is, or will be,

authorized. Employees shall not perform work for the City outside their regular scheduled work hours on a voluntary basis.

- C. Non-exempt employees receiving overtime may be compensated for such overtime hours at the rate of one and one-half ($1\frac{1}{2}$) times their regular rate of pay for hours physically worked in excess of forty (40) hours per work week, with time rounded to the nearest quarter of an hour. Any time less than one quarter hour shall not be compensable.
- D. Holiday, Family Emergency Leave, Jury, Military leave, Workers Compensation, and leave due to Inclement Weather are the only types of leave considered to be “hours physically worked” for purposes of calculating overtime. An employee who is on vacation leave when called back to work shall have all hours physically worked credited against the vacation leave hours submitted for that work week and shall be paid for all hours worked and vacation hours used at his regular rate of pay.
- E. Non-exempt employees may receive compensatory time off for such overtime hours in lieu of overtime pay at the rate of one and one-half ($1\frac{1}{2}$) times the number of overtime hours for hours physically worked in excess of forty (40) hours (rounded to one quarter hour) in the work week. Non-exempt employees may accrue up to a maximum of eighty (80) hours of compensatory time, and all compensatory time earned must be reported on time sheets. Compensatory time leave shall be given within a reasonable amount of time so long as it is approved by the Department Head in advance. After the employee, has accrued the maximum compensatory time and not used it as leave, all overtime accrued above the maximum must be paid. Accrued balances of compensatory time at separation from employment must be paid at a rate not less than the average rate received by the employee

over the last three years of employment or his final rate of pay, whichever is higher.

- F. The Human Resources Division is responsible for determining the exempt/non-exempt status of positions in accordance with guidelines established by the Fair Labor Standards Act.

3.11 Overtime for Firefighter Shift Personnel and Police Patrol Personnel

Firefighter shift and police patrol personnel have special provisions for overtime pursuant to Section 207(k) of the Fair Labor Standards Act and Texas law. All such rules shall be consistent with the Fair Labor Standards Act and applicable Texas law.

- A. Non-exempt personnel may be required to work hours in excess of their official established hours when necessary as determined by departmental management. Specific extra work assignments shall be rotated and allocated as evenly as possible among employees qualified to do the work. Employees are expected to respond to a reasonable request to work extra hours, and may be subject to disciplinary action for failing to stay or report for such hours.
- B. Employees performing work at any time, other than scheduled working hours, including taking work home, is strictly forbidden unless authorized in writing by the employee's supervisor. Prior to working on such occasions, employees must verify such hours with their supervisors to make certain that overtime is, or will be, authorized. Employees shall not perform work for the City outside their regular scheduled work hours on a voluntary basis.
- C. A work period for non-exempt police patrol personnel is defined as 86 hours within a fourteen (14) day work cycle.
- D. In accordance with FLSA Section 207(k), a fire protection work period is defined as 212 hours within a 28-consecutive day period. Non-exempt firefighter shift employees shall be compensated for

such overtime hours at the rate of one and one-half (1 ½) times their normal rate of pay for hours physically worked in excess of 212 hours per work period, with time rounded to the nearest one quarter of an hour.

- E. Holiday, Family Emergency Leave, Workers Compensation, Jury and Military leave, and leave due to Inclement Weather are the only types of leave considered to be “hours physically worked” for purposes of calculating overtime. An employee who is on vacation leave when called back to work shall have all hours physically worked credited against the vacation leave hours submitted for that work person and shall be paid for all hours worked and vacation hours used at his regular rate of pay.
- F. Non-exempt police patrol employees who are on an 86-hour work period schedule may receive compensatory time off for such overtime hours in lieu of overtime pay at the rate of one and one-half (1 ½) times the number of overtime hours for hours physically worked in excess of eighty-six (86) hours in a work period (rounded to one quarter hour). Non-exempt police patrol employees who are on a 40-hour work week schedule may elect to receive compensatory time off for such overtime hours in lieu of overtime pay at the rate of one and one-half (1 ½) times the number of overtime hours for hours physically worked in excess of forty (40) hours in a work week (rounded to one quarter hour). Non-exempt police patrol employees may accrue up to a maximum of eighty (80) hours of compensatory time. All compensatory time earned must be reported on time sheets. Compensatory time leave shall be given within a reasonable amount of time so long as it is approved by the Department Head in advance. After the employee, has accrued the maximum compensatory time and not used it as leave, all overtime accrued above the maximum must be paid. Accrued balances of compensatory time at separation from employment must be paid at a rate not less than the average rate

received by the employee over the last three years of employment or his final rate of pay, whichever is higher.

3.12 On-Call and Call-Backs

- A. On-call is all time after regularly scheduled working hours when a non- exempt employee is designated to be available for callback. Per the FLSA, an employee required to remain on call on City premises or so close to the premises that the employee cannot use the time effectively for his own purposes is compensable. Also, an employee required only to leave word at home or with the city as to where he may be reached is not engaged in compensable working time. The City's compensation guidelines for on-call employment allow more flexibility for compensation for employees who are on-call but whose time may be somewhat impacted. The city may choose to compensate, in certain circumstances, employees designated to be available for call-back. In most cases, on-call time shall not be considered time worked and shall not be compensable. If called back, compensation shall be paid for actual hours worked, but no less than one (1) hour.
- B. A non-exempt employee shall be officially scheduled and designated as on-call when an on-call need has been identified by the Department Head, instructions have been communicated by the Department Head to the employee concerned, and the employee has acknowledged the on-call status and availability instructions and, further, the employee has indicated to the appropriate supervisor how he can be contacted. Employees are expected to respond to an assignment by their supervisor to be on-call.
- C. Detectives: When an employee is assigned 1st call duty for a week's period, he will be paid \$80.00 on call premium; or \$120.00 on a week containing an official city approved Holiday. When an employee is assigned 2nd call duty for a week's period, he will be

paid \$60.00 on call premium; or \$80.00 on a week containing an official city approved Holiday. When an employee is assigned to be on-call he must be able to report to work within 45 minutes. While assigned on-call, if sick or vacation time is taken, the on-call shall be assigned to another employee; the on-call premium shall then be split proportionally between the employees assigned on-call.

1. On-call Public Works personnel are guaranteed a minimum of 2 hours of overtime for weekend and/or holiday city required rounds.

D. This section does not apply to exempt employees.

3.13 Longevity Pay

All regular full-time employees, with continuous service of three (3) or more years, as of September 30th, shall receive longevity pay of seven dollars (\$7.00) for each full month of uninterrupted service, not to exceed thirty (30) years. A regular employee who enters service with the City on or prior to the 15th day of any month or separates from service with the City on or after the 16th day of any month shall earn longevity pay for that month.

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

3.14 Certification Pay

Under policies and guidelines established by the City Manager and approved by the City Council, eligible regular full-time employees may receive additional compensation per month for each qualifying certificate, license or college degree. The amount of such compensation shall be determined as part of the annual budget and shall be included in the employee's regular rate of pay when calculating overtime pay rates.

The purposes and objectives of this program are to:

- A. Promote and maintain a highly qualified, trained, and professional workforce by providing incentives for employees to participate in job-related continuing education and certification/licensing programs.
- B. Enhance and improve the level of service provided to the citizens of the City of Lake Worth through the provision of a highly qualified, trained, and professional workforce.
- C. Reduce or mitigate liability exposures by ensuring a highly qualified, trained, and professional workforce.

Refer to Title II, Administrative Regulations, Chapter 6 Certification Pay Program, for additional information.

3.15 Method of Payment

Salaries shall be paid on a bi-weekly basis (twenty-six pay periods per year). Paychecks shall be released to employees every other Thursday or be direct deposited to the employee's bank account, if authorized by the employee. If a scheduled payday falls on a holiday, paychecks shall be issued the day preceding the holiday. If an employee is away from work on payday due to illness, vacation, or other reasons, his paycheck shall be returned to the Financial Services Department for safekeeping, unless direct deposit has been authorized by the employee. Written authorization from the employee shall be submitted to the Financial Services Department for delivery of the employee's paycheck to a third party, who may be required to provide proof of identification.

3.16 Separation Pay

All employees who leave the service of the City for any reason shall receive all pay, which legally may be due them. Any indebtedness to the City, including any advanced Holiday pay, which the employee may have incurred, shall be deducted from the final paycheck.

All non-exempt employees who resign shall give at least two (2) weeks written notice before the effective date of resignation to leave in good standing. All exempt employees who resign shall give at least thirty (30) days written notice before the

effective date of resignation to leave in good standing. After the employee gives appropriate notice, the Department Head, or City Manager, may waive any or all the notice. If the Department Head waives the appropriate notice, the employee may not be compensated for the waived notice period.

The Department Head shall, at his own discretion, allow the employee to use vacation or holiday leave during the two (2) weeks' notice period. However, employees shall not be allowed to use vacation leave for more than five (5) working days.

3.17 Advance Pay

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

3.18 Interim Status Pay

Any employee who is temporarily assigned to serve in a higher-level position for a period of at least thirty (30) consecutive days, shall be compensated for the additional duties and responsibilities of the higher-level position at an increase of 5% or minimum of the pay grade, whichever is greater, unless otherwise approved by the City Manager. The employee must be qualified to perform and must perform the full range of duties of the higher-level position required during the interim assignment in order to be eligible for the additional compensation.

When an employee returns to his regular job assignments, upon the completion of a higher-level interim assignment, the employee's compensation shall return to that employee's regular rate of pay prior to his interim assignment.

3.19 Step-Up Pay for Firefighter Shift Personnel and Police Patrol Personnel

a. When a firefighter shift employee is assigned duties of a Driver/Engineer for more than a twelve (12) hour period the step-up pay will be an increase of 10% of the base hourly rate.

b. When a firefighter employee is assigned "Field Training Officer" duties for a minimum twelve (12) hour period the step-up pay will be an increase of 10% of the base hourly rate.

c. When a police patrol employee or a telecommunications officer is assigned “Officer in Charge” or “Field Training Officer” duties for a minimum eight (8) hour period the step-up pay will be an increase of 10% of the base hourly rate.

d. Step-Up Pay will be applicable to only one (1) additional duty performed per shift worked.

e. Employees on new hire and/or disciplinary probation are not eligible for pay under this section.

f. All police patrol employees assigned Field Training Officer must hold the TCOLE FTO course; all firefighter employees assigned Filed Training Officer must be designated as such by the Fire Chief.

3.20 Acting Status

No pay increase shall be provided for acting status. Refer to Chapter 3 Wage and Salary Administration, Section 3.04 Administration of Classification and Compensation Plans (F) for a description of acting status.

CITY OF LAKE WORTH
TITLE I
PERSONNEL REGULATIONS
CHAPTER 4 BENEFITS

4.01 Health Insurance

All regular full-time employees are covered by medical, dental, and vision insurance on the first day of the month following 30-days of employment. This insurance generally provides for payment of hospitalization, major medical expenses, dental and vision expenses, and prescription drugs. Participation in this program is optional for all regular full-time employees, and may result in out of pocket costs for premiums, depending upon the plan chosen by the employee. Detailed information concerning employee insurance is contained in the Employee Benefits Book.

4.02 Life Insurance

The City provides group term life, accidental death and dismemberment for all regular full-time employees. The cost of providing this insurance coverage to employees is paid by the City. Optional supplemental coverage for employees and their dependents is available, at no charge, on the first day of the month following employment. Detailed information concerning life insurance is contained in the Employee Benefits Book.

4.03 Cafeteria Plan (IRS Section 125)

Each employee of the City of Lake Worth is able to design an additional benefit program, meaning he can choose optional benefits that best accommodate his personal situation. Included in the cafeteria plan are major medical insurance plans and supplemental insurance policies, including accident, cancer and life insurance, and health savings account benefits. Such programs are available through payroll deductions with pre-tax dollars on the first day of the month following 30-days of employment.

4.04 Workers' Compensation Insurance

Any City employee injured as a result of duties performed in the course and scope of his job shall be eligible to receive workers' compensation benefits at no expense to the employee.

4.05 Social Security

All employees of the City are covered under the Federal Insurance Contributions Act (FICA) in accordance with Federal law.

4.06 Retirement

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

- A. The plan requires a contribution be made by means of payroll deductions. The City matches each employee's contribution at a ratio approved by the City Council.
- B. In the event a member of the retirement system leaves the employment of the City prior to retirement, and is not vested, such member may elect to leave his contributions on deposit with the system for not more than five (5) years, may file application for a full refund of the employee's contributions and accrued interest thereon, or may roll the funds over into a qualified account. In the event an employee receives a full refund of his contributions; the employee forfeits any seniority towards retirement under TMRS.
- C. Where practical, employees shall give the Human Resources Division written notice of their intent to retire at least one (1) month prior to the

proposed date of retirement in order to file a written application for retirement with TMRS.

- D. Complete details of the retirement plans, as well as additional information, is provided in the Texas Municipal Retirement System Handbook available through the Human Resources Division.
- E. Employees on leave without pay are not eligible to make contributions to the Texas Municipal Retirement System.

CITY OF LAKE WORTH
TITLE I
PERSONNEL REGULATIONS
CHAPTER 5 LEAVE

5.01 Holidays

- A. Paid holidays are extended to full-time employees.
- B. The following official holidays shall be observed:
 - 1. New Year's Day (January 1);
 - 2. Martin Luther King Day (Third Monday in January);
 - 3. Good Friday (Friday before Easter);
 - 4. Memorial Day (last Monday in May);
 - 5. Juneteenth Day (June 19th)
 - 6. Independence Day (July 4);
 - 7. Labor Day (first Monday in September);
 - 8. Thanksgiving Day (fourth Thursday in November);
 - 9. Day after Thanksgiving;
 - 10. Christmas Eve Day (December 24);
 - 11. Christmas Day (December 25); and
 - 12. One Floating Holiday per calendar year as approved by City Council.
 - a. In accordance with Section 142.0013(c) of the Texas Local Government Code, a firefighter shall be granted the same number of vacation days and holidays, or days in lieu of vacation days or holidays, granted to other municipal employees, at least one of which shall be designated as September 11th. For firefighters, the Floating Holiday shall be designated as September 11th Holiday.

**Additional days may be designated by the City Council.

- C. When an official holiday occurs on a weekend, the following alternative schedule applies:
 - 1. A holiday which occurs on a Saturday shall be taken on the Friday before the holiday; and
 - 2. A holiday which occurs on a Sunday shall be taken on the Monday after the holiday.

An employee shall receive holiday pay equivalent to a standard eight (8) hour workday. For employees on a modified work schedule (i.e. 10 hour work day) additional time off will be compensated using accrued vacation or comp-time.

- D. Police and Firefighter shift personnel required to work on Holidays shall accrue annual Holiday leave on January 1st of each year. Holiday time for firefighter shift personnel shall be equivalent to twelve (12) hours. Holiday time for police shift personnel shall be equivalent to eight (8) hours. Holiday leave may not be accumulated beyond ninety-six (96) hours, or one-hundred forty-four (144) hours for firefighter shift personnel. Holiday leave shall be granted in 15-minute increments. Police and firefighter shift personnel hired November 1, or later, shall be allowed to carry over 100% of initial holiday accrual.
- E. An employee who abandons his job shall be ineligible for payment of accumulated holiday leave.
- F. An employee may not receive pay for a holiday if he is:
 - 1. Absent without prior approval either the last scheduled day before or the first scheduled day following an official holiday;
 - 2. Sick without a doctor's note; and/or
 - 3. On Workers Compensation and receiving temporary income benefits.
- G. An official holiday occurring while any eligible leave is being taken shall be reflected as a holiday for payroll purposes and no deduction from such leave balance shall be made for the holiday.

- H. Employees wishing to observe religious or other holidays not listed herein shall at their option be given time off without pay or have the time charged to vacation, compensatory, holiday or exempt leave time, if available.

5.02 Vacation Leave

All regular full-time employees shall accrue vacation leave during their first six (6) months of employment, but vacation leave may not be used until after completion of six (6) months of service, unless specifically approved by Department Head. Eligibility for, and accrual rate of vacation benefits is determined by the date of regular full-time employment and length of service provided to the City.

- A. Regular Full-time employees with up to five (5) years of regular full-time service with the City shall accrue vacation leave at a rate of 6.67 hours per month. Full-time employees who have completed five (5) years or more and up to ten (10) years of continuous regular full-time service with the City shall accrue vacation leave at a rate of 10 hours per month. Full-time employees who have completed ten (10) years or more of continuous regular full-time service with the City shall accrue vacation leave at a rate of 13.34 hours per month.

| REGULAR FULL-TIME EMPLOYEES (Except Firefighter Personnel) Maximum of 240 Hours | | |
|--|------------------------|-------------------------------|
| Months | Hours Per Month | Hours Accrued Per Year |
| 1-60 | 6.67 | 80 |
| 61-120 | 10.00 | 120 |
| 121 + | 13.34 | 160 |

| FIREFIGHTER SHIFT EMPLOYEES | | |
|------------------------------------|------------------------|-------------------------------|
| Maximum of 320 Hours | | |
| Months | Hours Per Month | Hours Accrued Per Year |
| 1-120 | 15.00 | 180 |
| 121 + | 20.00 | 240 |

| PUBLIC SAFETY OFFICER EMPLOYEES (Sworn Officers and Fire Personnel/Non-Shift) | | |
|--|------------------------|-------------------------------|
| Maximum of 240 Hours | | |
| Months | Hours Per Month | Hours Accrued Per Year |
| 1-120 | 10.00 | 120 |
| 121 + | 13.34 | 160 |

- B. Department Heads or designees shall schedule an employee's vacation considering the ability of the remaining staff to perform the work of the department. The employee has the responsibility to assure that the leave request is made within a reasonable length of time prior to the commencement of the leave. All vacation leave for Department Heads must be approved by the City Manager, or Assistant City Manager.
- C. Vacation leave may be accumulated from year-to-year, not to exceed two hundred forty (240) hours for regular full-time employees; and three hundred and twenty (320) hours for firefighter shift personnel. The City Manager may waive this limitation if the needs of the city preclude the taking of vacation leave which would otherwise be lost because of this limitation.
- D. All employees are encouraged to use vacation leave. Leave must be taken in 15-minute increments. All leave requests must be approved by the

Department Head so that schedules and duties may be adjusted to create minimum disruption of normal work operations.

- E. Upon separation from service, regular employees who have completed six (6) months of service to the City may be paid for any accrued, but unused vacation leave. All vacation leave is forfeited if the employee separates from employment prior to completion of six (6) months of employment with the City. Additionally, an employee who abandons his job, as defined in section 6.04.C., shall be ineligible for payment of accumulated vacation leave. To maintain eligibility for payment of accrued vacation leave, an employee who resigns his position with the City must submit a written notice of such resignation, in accordance with Section 3.16.
- F. An official holiday occurring during an employee's vacation shall not be considered vacation leave.
- G. Vacation leave shall not be advanced to employees.
- H. Vacation leave credits are not transferable between employees.

Employees shall not be allowed to take in excess of ten (10) consecutive vacation days or, in the case of firefighter shift personnel, five (5) consecutive vacation shifts, without the prior written approval of the Department Head, as appropriate, except when the employee is using family and medical leave.
- I. An employee on disciplinary suspension forfeits all claims to use vacation leave for the duration of the disciplinary suspension.
- J. If an employee becomes ill while using vacation leave, vacation leave may be converted to sick leave. The presentation of a licensed physician's written statement may be required.
- K. Vacation leave may not be used by any employee who is unable to work and is receiving full workers' compensation benefits.
- L. Leave records shall be maintained by the Financial Services Department.
- M. Temporary employees are not eligible for vacation leave.

5.03 Sick Leave

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

- A. Sick leave shall be accrued by all full-time employees at the rate of six and sixty-seven hundredth (6.67) hours per month. Pursuant to state and/or federal law, firefighter shift personnel and police patrol personnel may be subject to special provisions regarding sick leave. Full-time firefighter shift personnel shall accrue sick leave at the rate of ten (10) hours per month. Rules for sick leave accrual for firefighter shift personnel shall be promulgated by the Human Resources Division. All such rules shall be consistent with the Fair Labor Standards Act (FLSA) and applicable Texas laws.
- B. Any accrued but unused sick leave shall be carried to the employee's credits for the following year.
- C. Sick leave may be accumulated from year to year, not to exceed four hundred and eighty (480) hours for regular full-time employees; and seven hundred twenty hours (720) for firefighter shift personnel.
- D. Regular full-time employees accrue sick leave and are eligible to use the leave upon accrual.
- E. Abuse or excessive use of sick leave may result in disciplinary action, up to and including termination.
- F. After an employee's accumulated sick leave has been exhausted, accrued vacation, or compensatory leave may be used as sick leave with approval of the Department Head, provided there has been no abuse of sick leave, and that all provisions of the sick leave policy are met. When absence due to illness exceeds the amount of paid leave earned and authorized, the pay of an employee shall be discontinued until the employee returns to work.
- G. Sick leave shall be granted in 15-minute increments.

- H. Sick leave may be allowed in case of doctor appointments, personal illness, physical incapacity of an employee, children, or a dependent residing in the employee's household.
- I. Employees who are absent due to illness for two (2) or more consecutive days shall be required to provide their supervisor with sufficient documentation from a licensed physician. The supervisor shall provide the documentation to the Human Resources Division.
- J. A supervisor shall be responsible to notify the Human Resources Division when an employee is absent due to illness for two (2) consecutive workdays [or 2 shifts for fire fighters] so the time may be evaluated for family and medical leave status.
- K. Notice of employee absence due to a non-job-related injury or illness must be given daily by the employee to that employee's immediate supervisor, Department Head no later than thirty (30) minutes prior to the beginning of the employee's work shift. Failure to do so may cause the employee's absence to be charged to leave without pay. Emergency situations, which might prevent compliance with the provisions of this paragraph, shall be taken into consideration by the Department Head.
- L. Department Heads, with approval of the City Manager, may request the Human Resources Division undertake an investigation of sick leave claimed by an employee, which they may deem necessary, or to disapprove any claims not properly substantiated.
- M. An employee who has been absent because of illness or injury may be required to submit to an examination by a licensed physician at the City's expense. In such cases, the employee may return to work upon approval of the City's examining physician.
- N. An employee who is released by an examining physician to return to regular duty and refuses to report for work or perform his assigned duties, is subject to disciplinary action, up to and including termination of employment.
- O. Sick leave shall not be advanced.

- P. Sick leave may not be taken by any employee who is unable to work and is receiving full workers' compensation benefits.
- Q. An employee who separates from the City, has completed a minimum of twenty (20) years of continuous full-time service with the City and qualifies for retirement as defined by the Texas Municipal Retirement System, shall be eligible for pay for one-half (½) of accumulated sick leave, or two hundred and forty (240) hours, whichever is less.
- R. Records of employees' sick leave time used shall be maintained in the Financial Services Department.
- S. An employee on disciplinary suspension forfeits all claims to use sick leave for the duration of the disciplinary suspension.

5.04 Family Emergency Leave

Family Emergency leave with pay is granted by a Department Head to an employee for absence from duty because of death or serious illness in the employee's immediate family. Regular full-time and regular part-time employees are eligible for family emergency leave. For purposes of this section, immediate family member is defined as the employee's spouse, father, mother, son, daughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother, sister, brother-in-law, sister-in-law, grandfather, grandmother, grandchildren, grandparent-in-law, legal guardian/ward and any applicable step relationship related to the foregoing, or any relative who may be residing in the same household with an employee.

No more than three (3) working days, or thirty-six (36) hours for firefighter shift personnel, may be used for family emergency leave within a calendar year. In the event of another qualifying death and the employee's family emergency leave days have been utilized, he may use accrued leave, including sick leave, or leave without pay. If there is no balance in an employee's accrued leave, the employee may request additional family emergency leave at the approval of the Department Head and the City Manager.

5.05 Family and Medical Leave

- A. Regular employees who have worked 1250 hours, in the prior twelve (12) month period, of employment with the City are entitled to receive up to twelve weeks' family and medical leave during a rolling year for one or more of the reasons listed below:
1. Birth of a child of the employee in order to care for such child (leave must be taken within a twelve (12) month period after birth);
 2. Upon the placement of a child with the employee for adoption or foster care (leave must be taken within a twelve (12) month period after placement);
 3. To care for the employee's spouse, son, daughter or parent who has a serious health condition;
 4. When the employee is unable to perform the essential functions of his position because of a serious health condition; or
 5. For qualified exigencies that arise when the employee's spouse, son, daughter or parent is a member of any branch of the Armed Services and is on active duty or has been notified of an impending call or order to active duty. Qualifying exigencies include:
 - a) A covered military member's short-notice deployment;
 - b) Military events and related activities;
 - c) Childcare and related activities arising from active duty or call to active duty status of a covered service member;
 - d) Financial and legal arrangements to address a covered military member's absence;
 - e) Counseling, provided by someone other than a health care provider, the need for which arises from the active duty or call to active duty status of a covered service member;
 - f) Taking up to five (5) days leave to spend time with a covered military member who is on short-term temporary rest and recuperation leave during deployment; and
 - g) Attending certain post deployment activities.

- h) To address other events that arise out of the active duty or call to active duty if the City and the Employee agree that the leave qualifies as an exigency and agree to the timing and duration of the leave.

B. Military Leave

Regular full-time employees who have completed six (6) months of employment with the City are entitled to receive twenty-six weeks of military caregiver leave during a “single 12-month period” beginning on the first day of leave and ending 12 months later for, spouse, child, parent or next of kin who is a service member undergoing medical treatment, recuperation, or therapy, is on out-patient status, or is on the temporary disabled retired list for injury or illness.

C. The provisions for using family and medical leave above are as follows:

1. FMLA will run concurrently with all other forms of leave and may be paid or unpaid.
2. An employee who has no accrued paid leave must receive unpaid family and medical leave up to twelve (12) weeks (twenty-six (26) weeks to care for an injured or ill service member);
3. An employee who has less than twelve (12) or twenty-six (26) weeks of accrued paid leave must first use the accrued paid leave toward the twelve (12) or twenty-six (26) weeks; thereafter, the remaining balance of the twelve (12) or twenty-six (26) weeks shall be unpaid family and medical leave;
4. An employee who has more than twelve (12) or twenty-six (26) weeks of accrued paid leave may use the accrued paid leave over and beyond the twelve (12) or twenty-six (26) weeks, if necessary, for family and medical leave causes, only upon review by the Human Resources Division and approval by the City Manager; and

After completion of leave under the Family and Medical Leave Act, if an employee is unable to perform the essential duties of his assigned position, reasonable accommodations may be made by the City to provide for the employee to perform such duties. If reasonable accommodations cannot be made and the employee is unable to perform the essential duties of his assigned position, he may be terminated. (For eligibility and specifics of the Medical Incapacity Leave of Absence, refer to Section 5.15.)

- D. A supervisor shall be responsible to notify the Human Resources Division when an employee is absent due to illness for three (3) consecutive work days [or 2 shifts for firefighters], so the time may be evaluated for Family and Medical Leave status.
- E. When Family and Medical Leave is foreseeable, an employee:
 - i Shall make a reasonable effort to schedule the treatment so as to not disrupt unduly the operations of the city, subject to the approval of the health care provider; and
 - ii Shall provide Human Resources with not less than thirty (30) days' notice before the date the leave is to begin; except, that if the date of the treatment or qualifying exigency requires the leave to begin in less than thirty (30) days, the employee shall provide the notice as soon as practical.
- F. To be eligible for family and medical leave due to the serious health condition of the employee or the employee's family member, to care for a service member or for leave for a qualifying exigency, the City may require that the need for leave be certified by a health care provider, as defined by the FMLA. An employee may be required to submit periodic written status reports to the Human Resources Division.
- G. This policy does not affect the accrual or usage of leave provisions (i.e., vacation, sick, compensatory or exempt leave, or holiday).

- H. An employee shall continue to receive health insurance benefits during Family and Medical Leave. The City shall continue paying its portion and the employee shall continue to pay his portion of health insurance benefits.
- I. If a husband and wife are both employed by the City, the combined total leave is limited to 12 work weeks during any 12-month period, if the leave is taken for:
 - 1. The birth of a child, to care for that child.
 - 2. The placement of a child for adoption or foster care.
 - 3. The care of a seriously ill parent.
- J. If a husband and wife are both employed by the city, the combined total leave is limited to 26 work weeks during a single 12-month period, if the leave is taken to care for an injured or ill service member.
- K. FMLA leave may also be taken on an intermittent or reduced leave schedule.
- L. If an employee requests intermittent leave or reduced schedule leave that is foreseeable based on planned medical treatment, the city may require the employee temporarily transfer to an available alternative position for which the employee is qualified and that:
 - 1. Has equivalent pay and benefits; and
 - 2. Better accommodates recurring periods of leave than the regular employment position of the employee.
- M. The city may delay or deny the taking of FMLA leave under the following circumstances:
 - 1. If an employee fails to give timely advance notice when the need for FMLA leave is foreseeable, FMLA leave may be delayed until thirty (30) days after the date the employee provides notice to the city of the need for FMLA leave;
 - 2. If an employee fails to provide, in a timely manner, a requested medical certification to substantiate the need for FMLA leave, fails to provide clarification, cooperate in the city's efforts to seek clarification or the continuation of FMLA, leave may be delayed or denied;
- N. Before reporting back to work following an FMLA absence due to the serious health condition of the employee, the employee must provide, when requested on

the designation notice sent by the City, a written release from the physician to Human Resources. Human Resources will contact the supervisor to release the employee to return to work. If an employee fails to provide a requested fitness-for-duty certification to return to work which addresses the employee's ability to perform the essential functions of the employee's job, the city may delay restoration until the employee submits the certificate.

5.06 Jury Leave

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

5.07 Voting

The City encourages all employees to fulfill their civic responsibilities by participating in elections. However, all employees should make every effort to vote outside normal working hours. If the polls are not open for two consecutive hours before or after the employee's work schedule, the City will provide up to two (2) hours of paid leave for the employee to vote. For all other employees, unable to vote in an election during their non-working hours, the City shall allow employees to use accrued vacation leave, compensatory leave, or exempt leave for the number of hours necessary for the employee to vote.

5.08 Military Leave

- A. Paid Leave for the purpose of responding to orders of military service as a member of the active service, reserve units, national guard, or other official special units shall be granted to all employees for a maximum of fifteen (15) workdays per calendar year subject to the following conditions:
1. All requests for leave must be made within fifteen (15) days of the first day for which leave is requested, when possible, and must be accompanied within a reasonable period of time by a copy of the order, directive, notice, or other document requiring absence from scheduled work;
 2. Leave pay shall not be granted for hours before or after the regularly scheduled working hours or for overtime hours scheduled;
 3. Travel time included in the orders and paid for or reimbursed by the service shall be counted as military leave;
 4. Military leave shall not be granted for a diagnosis or treatment of any service-connected sickness or disability, for obtaining or sustaining any disability rating or for treatment at any governmental facilities;
 5. Time required for physical examinations for selection or admission to the military service to determine or maintain a selected service rating or to maintain a reserve status shall be counted as military leave. Pay shall be limited to the regularly scheduled hours lost;
 6. An employee may carry forward from one year to the next the net balance of unused Military leave that does not exceed thirty (30) work days.
 7. The conditions of the preceding subsections shall be applied as required by applicable federal and state law.
- B. Any employee who leaves his position for the purpose of entering any branch of the United States armed forces for extended active duty shall be placed in military active-duty status. The City will supplement the difference between the employee's regular rate of pay and his military pay for up to 180 days. The employee will continue to accrue vacation leave, sick leave,

and retirement. The City shall continue paying its portion and the employee shall continue to pay his portion of health insurance benefits during the supplemental period.

- C. In accordance with Chapter 43 of Title 38, United States Code, entitled “Employment and Reemployment Rights of members of the Uniformed Services,” an employee may serve a total of four (4) years of active duty in the armed forces, and an additional one (1) year as requested by the United States government, and still be eligible for reappointment to his City position. An employee's right to reappointment is not protected for periods of military active duty longer than five (5) years, in most cases.
- D. An employee who leaves City employment to enter active military service shall be restored to employment in the same position held upon entrance to active military service, or in the position the employee would have held had the employee remained continuously employed, so long as the person is qualified for the job or can become qualified after reasonable efforts, if the employee:
 - 1. Is physically and mentally qualified to perform the essential duties of the position;
 - 2. Was discharged, separated, or released from active military service under honorable or general conditions;
 - 3. Has not been in active military service for more than five (5) years (in most cases); and
 - 4. Makes written application for reappointment and presents evidence of the discharge, release, or separation from military service according to the following schedule:

| Length of Period of Service | Reapply No Later Than |
|-----------------------------|---|
| Less than 31 days | Next regular work day after completion of service and time to travel from place of service to residence and an eight (8) rest period. |

| | |
|---|--|
| More than 30 days, but less than 180 days | Fourteen (14) days after completion of service |
| More than 180 days | Ninety (90) days after completion of service |

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

5.09 Workers' Compensation Leave

- A. Any City employee becomes eligible for Workers' Compensation when he is injured in the scope of his employment for the City of Lake Worth.
- B. When the attending physician has instructed the employee, in writing, to remain off the job until the physician releases the employee to return to work, Texas state law prescribes that an employee shall receive Workers' Compensation payments during the recovery and recuperation period. An injured employee is entitled to medical aid and hospital services which are required at the time of injury, and at any time thereafter, as may be necessary to cure and relieve the effects of the injury.
- C. The Human Resources Division is responsible for administering, pursuant to the requirements of state law, the City's Workers' Compensation program.
- D. A full-time employee, who is injured on the job, shall be granted injury leave not charged against his sick leave or vacation leave, to extend for such time as a physician shall certify that the injured employee is unable to work, but in no event to extend beyond eighteen (18) continuous weeks, unless expressly authorized by the City Manager.
- E. Partial days of leave are paid at the employee's regular pay rate without the use of accrued benefit time.

- F. During the first twelve (12) weeks of such injury leave, the leave shall not be charged against sick leave nor vacation leave and runs concurrently with Family and Medical Leave.
- G. If the employee is unable to perform the essential duties of his assigned position at the end of eighteen (18) weeks reasonable accommodations may be made by the City to provide for the employee to perform such duties. If reasonable accommodations cannot be made and an employee is unable to perform the essential duties of his assigned position at the end of eighteen (18) weeks, he may be terminated.
- H. While on injury leave, an employee shall continue to earn vacation and sick leave at the regular rate and shall remain eligible for health insurance benefits; however, the employee's portion of any additional premiums supplemental insurance and dependent coverage must continue to be paid by the employee during such leave. These associated costs can be paid by drawing on accrued benefit time, with approval from the Financial Services Department.
- I. When an employee is injured on the job, the supervisor shall complete a workers' compensation First Report of Injury immediately and submit it to his supervisor, who shall forward it to the Human Resources Division. Where an accident causes serious bodily injury or death to an employee, the supervisor shall notify his Department Head, the Human Resources Division, the Financial Services Department, and the City Manager immediately.
- J. Part-time and temporary employees shall be eligible to receive Workers' Compensation benefits only and may be granted a "leave of absence without pay" by the City.
- K. No employee may return to work from an on-the-job injury involving lost time without first obtaining a physician's release. The physician's release must be forwarded to the Human Resource Division.
- L. An employee injured in the scope of his employment for the City may be subject to alcohol/substance screening.

- M. An employee who is physically able and who fails to report within twenty-four (24) hours an injury to his supervisor, however minor, and fails to take such first aid treatment as may be necessary, may not be eligible for injury leave. When an employee is injured on the job, the supervisor shall complete a workers' compensation First Report of Injury immediately and submit it to his supervisor, who shall forward it to the Human Resources Manager. When an accident causes serious bodily injury or death to an employee, the supervisor shall notify his Department Head, the Human Resources Manager, and the City Manager immediately.

5.10 Modified Duty

- A. The City's Modified Duty program is based on the belief that it is in the best interest of both the employee and the City for an employee to return to work in some capacity following either an on-the-job or off-the-job injury, illness, or medical condition.
- B. With the Department Head's approval, a supervisor may work to identify possible modified duty assignments for all on-the-job and off-the-job injuries, illnesses and medical conditions.
- C. Attempts may first be made to make modified duty assignments in the division/department in which the injured/ill employee currently works. If placement is unavailable, the Director of Human Resources may attempt to place the individual in another department, based on physical ability, skills and available assignments.
- D. Regardless of where the modified duty assignment occurs, the salary of an employee placed on modified duty shall be paid by the division/department to which the employee is normally assigned.
- E. When the employee returns to work on a modified duty status for less than a regular shift, the number of hours, less the number of hours for the regular shift, shall be paid by supplementing with any accrued leave.

- F. Prior to an employee being placed on modified duty, he must provide to the Human Resources Division a written release from the attending physician stipulating the following:
 - 1. The specific restrictions;
 - 2. The period of time during which the restrictions apply;
 - 3. The expected date on which the employee may return to work for modified duty;
 - 4. The date of the employee's next physician appointment; and
 - 5. A specific date on which the employee may be expected to be fully recovered and can return to normal duties.
- G. The City reserves the right to require an independent physical analysis/assessment upon the return to modified duty work of an employee from an injury, illness or medical condition.
- H. An employee who is released to return to work in less than a full-duty status by the examining physician may be required to work in a position or department other than his original position or department. Work duties shall be assigned in accordance with the employee's limitations and the needs of the City.
- I. Modified duty assignments shall not extend beyond ninety (90) days unless extended by the City Manager.
- J. An employee with a modified duty assignment shall be required to provide to the Human Resources Division a physician's statement monthly or after each doctor's visit (whichever is more frequent) that states the employee's progress and the expected date of return to full duty.
- K. An employee with a modified duty assignment will be expected to cooperate and fully perform the modified duty assigned. Failure to do so by the employee may result in the termination of the modified duty assignment, and/or the employee being subject to disciplinary action.
- L. It is the responsibility of the employee to inform his modified duty supervisor, in advance, of scheduled appointments. The employee should make every attempt to minimize the time away from work.

- M. An employee on modified duty assignment whose attendance, performance, and/or conduct merits discipline shall be subject to appropriate disciplinary action initiated by the supervisor of the modified duty assignment.
- N. An employee on modified duty assignment shall not be able to work any additional part-time or secondary employment.
- O. Modified duty assignments are at the discretion of the City and the City is under no obligation to provide such assignments. This policy should not be construed as creating such an obligation.

5.11 Leave Without Pay

Leave without pay is granted as a matter of administrative discretion. No employee may demand leave without pay as a matter of right, but it may be granted to any regular employee. The position of any City employee who is on leave without pay may be filled on an interim basis.

All eligible leave must be exhausted before an employee can enter leave without pay status. An employee's Department Head may authorize leave without pay for a period not to exceed two (2) consecutive calendar weeks. Leave without pay in excess of two (2) consecutive calendar weeks must be approved by the Department Head and the City Manager. While on leave without pay, an employee shall remain eligible for health insurance benefits; however, the employee's portion of any additional premiums, supplemental insurance and dependent coverage must continue to be paid by the employee during such leave.

5.12 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 in pay status for the time involved. Absence for three (3) days without proper notification or without satisfactory reason shall be considered job abandonment and the employee shall be terminated. The employee shall be ineligible for payment of eligible accumulated leave.

5.13 Leave of Absence

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

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

5.14 Administrative Leave with Pay

An employee who is suspected of a violation of state, federal, or local law; City ordinance; a rule, regulation, or these Regulations may be placed on administrative leave with pay pending the outcome of any investigation and/or the imposition of disciplinary action. Administrative leave with pay is non-disciplinary.

An official city Holiday occurring while an employee is on paid administrative leave will be reflected as a Holiday for payroll purposes.

5.15 Medical Incapacity Leave of Absence

After the expiration of all paid leave and unpaid leave due to a related injury or serious health condition, a full-time employee who has been continuously employed by the City for at least five (5) years may be granted a medical incapacity leave of absence without pay for a period not to exceed six (6) months. While on such leave of absence, the City shall not pay an employee's health insurance and additional benefit costs. All requests for a medical incapacity leave of absence must be approved by the City Manager.

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

employee is unable to return to full-time work, the employee may be separated from employment with the city.

5.16 Mental Health Leave for Police Officers

The purpose of this policy is to provide guidance in accordance with Section 614.015 of the Texas Government Code authorizing Mental Health Leave for any peace officer in the event the peace officer experiences a traumatic event.

For purposes 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, serious injury, or sexual violence in one (or more) of the following way:

- a. directly experiencing the traumatic event(s);
- b. witnessing, in person, the traumatic event(s) as it occurred to others;
- c. 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 close friend, the event(s) must have been violent or accidental); or
- d. experiencing repeated or extreme exposure to aversive details of the traumatic event(s).

"Police Officer" means an individual described by Article 2.12, Code of Criminal Procedure, who is elected for, employed by, or appointed by the city.

When a police officer experience trauma directly related to the officer's job duties, the Chief of Police, in consultation with the City Manager, may authorize Mental Health Leave to recover or begin the process of recovery and accessing needed resources for treatment.

Immediately after an on-duty traumatic event, or an officer's supervisor who is aware of an on-duty traumatic event involving the officer, may request Mental Health Leave for the officer.

Mental Health Leave may be granted for up to forty (40) hours per event. Any hours utilized for Mental Health Leave shall be calculated as regular hours worked. Confidentiality about a police officer'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.

5.17 Public Safety Quarantine Leave

The purpose of this policy is to provide guidance in accordance with Section 180.008 of the Local Government Code regarding paid quarantine leave for Fire Fighters and Police Officers. The quarantine leave will be used to quarantine or isolate Fire Fighters and Police Officers, due to a possible or known exposure to a communicable disease while on duty. The City of Lake Worth recognizes that employee health and safety is important. The City supports establishing a workplace that is comfortable, healthy, safe, and supportive.

This policy applies to all Fire Fighters and Police Officers, employed by the City of Lake Worth. The Police/Fire department administration will be responsible for communicating and implementing this policy as applicable.

"Fire fighter" means a paid employee of the fire department who:

- (A) holds a position that requires substantial knowledge of firefighting.
- (B) has met the requirements for certification by the Texas Commission on Fire Protection under Chapter 419, Government Code; and
- (C) performs a function listed in Texas Local Government Code Section 143.003(4)(A).

"Health authority" has the meaning assigned by Section 121.021, Health and Safety Code.

"Police Officer" means an individual described by Article 2.12, Code of Criminal Procedure, who is elected for, employed by, or appointed by the city.

The use of paid quarantine leave will be granted after a Fire Fighter or Police Officer is ordered to quarantine by the city's health authority or City Management after a possible or known exposure to a communicable disease while on duty.

Applicable employees on paid quarantine leave will continue to be eligible for all employment benefits and compensation, including continuing their leave accrual, pension benefits and eligibility for health benefit plan benefits for the duration of the leave. While on quarantine leave, the employee will not use any other paid leave type (vacation, sick, holiday, compensatory time).

When applicable, employees who must be quarantined may be eligible for reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation. Allowable expenses shall be in accordance with Personnel and Administrative Regulations, Title II, Chapter 2.05.

CITY OF LAKE WORTH

TITLE I

PERSONNEL REGULATIONS

CHAPTER 6 RULES OF CONDUCT

6.01 Drug Free Workplace

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

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

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

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

- A. While on the City premises and while conducting business-related activities off City premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or drugs.
 - 1. The legal use of prescribed drugs or over-the-counter medications taken for a current health condition is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.
 - 2. Any employee, who is legally taking a prescription drug or over-the-counter medication that may impair his ability to perform the essential

functions of the job effectively and in a safe manner, shall inform his supervisor that he is taking such prescription drug or over-the-counter medication.

B. An employee's voluntary disclosure of a chemical dependency problem

may result in required participation in a substance abuse or related rehabilitation or treatment program. An employee may not provide a "voluntary disclosure" upon being notified that he must submit to a drug or alcohol test.

1. Employees with questions or concerns about substance dependency or abuse may also wish to discuss these matters with their supervisor or the Human Resources Division to receive assistance or referrals to appropriate resources in the community.
2. Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program through the City's health insurance benefit coverage.

C. Under the Drug-Free Workplace Act, any employee must notify the Human Resources Division of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five (5) days of the conviction.

D. Employee Drug Testing: All employees of the City of Lake Worth are subject to drug and/or alcohol testing. The following tests shall be conducted:

1. Employment drug and/or alcohol tests shall be conducted before applicants are hired.
2. Post-motor vehicle accident alcohol and drug tests shall be conducted on all employees as soon as practical following the accident.

3. Alcohol and drug testing shall also be conducted when a trained supervisor has reasonable suspicion, or observes behavior, speech, appearance, or body odors, that may be characteristic of misuse of drugs or alcohol. Drug and alcohol testing shall occur as soon as practical following the supervisor's observation. The supervisor shall document his observations and forward the document to the Human Resources Division.
- E. U.S. Department of Transportation Drug and Alcohol Testing – Employees with a Commercial Driver's License (CDL):
1. The City of Lake Worth shall comply with the Department of Transportation rules requiring drivers who hold a position requiring a Commercial Driver's License (CDL) to submit to random alcohol and drug testing.
 2. Employees holding a position that requires a commercial driver's license shall be tested on a random, unannounced basis for drugs and alcohol. The testing shall be performed with unpredictable frequency throughout the year. Employees shall be randomly selected for testing from a pool of employees who hold a commercial driver's license. Random drug and alcohol testing shall be conducted just before driving, after driving, or while an employee is on call to drive.
- F. Employees with questions on this policy, issues related to drug or alcohol use in the workplace, or the required U.S. Department of Transportation's Drug and Alcohol Testing rules, should raise their concerns with their supervisor or the Human Resources Division without fear of reprisal.

6.02 Sexual Harassment

- A. No City employee shall be subject to or engage in any form of sexual harassment, including physical touching or verbal suggestions of a sexual nature. Generally, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 2. Submission to or rejection of such conduct by an individual is used as a basis for an employment decision affecting that individual; or
 3. Such conduct has a purpose or effect of substantially interfering with an individual's professional performance or creating an intimidating, hostile, or offensive employment environment.
- B. Sexual harassment of any type, including jokes, the exhibition of pictures, diagrams, and cartoons, is strictly prohibited and shall not be tolerated. Supervisory personnel are required to take immediate and positive steps to eliminate any form of sexual harassment when it comes to their attention.
- C. The Human Resources Division shall investigate allegations of sexual harassment and take immediate action when it learns of an instance of behavior inconsistent with the law or the intent of this section. Any employee found to have violated this section shall be subject to disciplinary action, up to and including termination.
- D. Any City employee who becomes aware of a situation involving sexual harassment shall report such violation to any supervisor, who shall then report the violation to the Human Resources Division, or the employee shall report the violation directly to the Human Resources Division.

6.03 Harassment

It is the City's policy that all employees have a right to work in an environment free of discrimination, which includes freedom from harassment - whether that harassment is based on sex, age, race, national origin, religion, disability, marital status, or membership in other protected groups. The City prohibits harassment of its employees in any form by supervisors, co-workers, or the general public.

Harassing conduct in the workplace, whether physical or verbal, including slurs, jokes, or degrading comments concerning sex, age, race, national origin, religion, disability, marital status, or membership in other protected groups is prohibited.

The Human Resources Division shall investigate allegations of harassment and take immediate action. Any employee found to have violated this section shall be subject to disciplinary action, up to and including termination. Any City employee who becomes aware of a situation involving harassment shall report such violation to any supervisor, who shall then report the violation to the Human Resources Division, or the employee shall report the violation directly to the Human Resources Division.

6.04 Performance Standards

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

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

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

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

- A. **Unsatisfactory attendance** is exemplified by, but is not limited to, the following violations:
 - 1. Unexcused absence or tardiness;

2. Failure to give notice of an absence or tardiness to the supervisor within thirty (30) minutes before starting time, or as may be prescribed by departmental policy;
3. Separate absences or days of tardiness which exceed the average absences of days of tardiness of the employee's work group and which lack sufficient justification;
4. Absence or tardiness that causes significant curtailment or disruption of services without sufficient justification; or
5. Abuse of leave.

B. Inability or unwillingness to perform assigned work satisfactorily is exemplified by, but is not limited to, the following violations:

1. Failure to follow routine written or verbal instructions;
2. Arguing over assignments or instructions; or
3. An accumulation of other deficiencies indicating the employee's continuing failure to adequately perform in a productive, efficient, and competent manner.

C. Indifference toward work is exemplified by, but is not limited to, the following violations:

1. Inattention, inefficiency, loafing, sleeping, carelessness, or negligence;
2. Reading unauthorized material, playing games, watching television, movies or video cassettes, accessing unauthorized internet sites, unauthorized e-mail usage, or otherwise engaging in entertainment while on the job and/or in view of the public;
3. Excessive failure to remain at one's work station without notifying his supervisor, leaving work without permission, or taking excessive time or more time than allowed for eating or break periods;
4. Excessive performance of personal business;
5. Interference with the work of others; or

6. Discourteous or irresponsible treatment of the public or other employees.

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

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

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

1. Failure to follow City or departmental safety rules and regulations;
2. Failure to use required safety apparel;
3. Removal or circumvention of a safety device;
4. Lifting in a manner which may cause injury;
5. Operations of a vehicle or other equipment in an unsafe, negligent, or careless manner;
6. Endangering of one's own safety or that of others by careless or irresponsible actions or negligence;

7. Failure to report an on-the-job injury, vehicle accident, or unsafe working condition;
 8. Failure of a supervisor to remove from the workplace or to assist to a safe location an employee whose mental capabilities are impaired due to injury, illness, alcohol or drug use, or emotional distress; or
 9. Failure to maintain a driving record acceptable to the City.
- F. **Dishonesty** is exemplified by, but is not limited to, the following violations:
1. Acceptance of money or anything of value from a person subject to the regulatory decision or supervision of the employees;
 2. Cheating, forging, or willful falsification of official City reports or records;

3. False reporting of the reason for a paid leave of absence; or
 4. Any other falsifying action detrimental to the City, City employees, or others.
- G. **Theft**, regardless of item value, is exemplified by, but is not limited to, the following violations:
1. Unauthorized taking of City property, City supplies, or the property of others;
 2. Unauthorized use of City or employee funds;
 3. Using or authorizing the use of City equipment, supplies, or employee services for other than official City business, including the unauthorized use of long distance or pay telephone services (including "900" toll calls); or
 4. Using or authorizing the use of City equipment or employee services without proper authority.
- H. **Insubordination** is exemplified by, but is not limited to, the following violations:
1. Willful failure or refusal to follow the specific orders or instructions of a supervisor or higher authority; or
 2. Pursuit of a denied request to a higher authority without revealing the lower level disposition; if:
 - a. If the employee believes an instruction or order is improper, he should request an interpretation of the next higher level of authority; or
 - b. If the employee believes the instruction or order, if followed, would result in physical injury to the employee or others, or damage to City equipment, the employee should request approval by the next higher level of supervision before performing the work, unless the danger complained about is inherent to the job.

L. Abuse of drugs or alcohol.

1. Abuse of drugs or alcohol is exemplified by, but is not limited to, the following violations:
 - a. An employee is judged unable to perform duties in an effective and safe manner due to:
 - (1) ingestion, inhalation, or injection of a drug; or
 - (2) ingestion of an alcoholic beverage;
 - b. An employee possesses or ingests, inhales, or injects into his body a drug:
 - (1) during working hours and lunch periods;
 - (2) in a City vehicle;
 - (3) on City property; or
 - c. An employee possesses or ingests an alcoholic beverage:
 - (1) during working hours and lunch periods;
 - (2) in a City vehicle; or
 - (3) on City property; except at an authorized City event.
2. In this section:
 - a. "Drug" means a controlled substance as defined by Chapter 481 of the Texas Health and Safety Code, as may hereafter be amended, except a drug legally prescribed and taken as prescribed.
 - b. "Alcoholic beverage" means alcohol, or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.

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

1. Fighting or boisterous conduct;
2. Deliberate causing of physical injury to another employee or citizen;

3. Harassment, as defined by the Texas Penal Code, or intimidation;
4. Unnecessary disruption of the work area;
5. Use of profane, abusive, threatening, or loud and boisterous language;
6. Sexual harassment or other harassment based on one's membership in a protected class;
7. Spreading of false reports; or
8. Other disruption of the harmonious relations among employees or between employees and the public.

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

1. Intentional, careless, or negligent damage or destruction of City equipment or property;
2. Waste of materials or negligent loss of tools or materials;
3. Improper maintenance of equipment;
4. Damage caused by use of tools or equipment for purposes other than that for which the tool or equipment was intended; or
5. Unauthorized internet or e-mail usage.

O. **Misconduct** is any criminal offense or immoral conduct, during or off working hours, which, on becoming public knowledge, could have an adverse effect on the City or the confidence of the public in City government. "Criminal offense" means any act constituting a violation of law and/or resulting in charges being filed, arrest, or confinement.

P. **Disregard of public trust** is any conduct, during or off working hours, which, on becoming public knowledge, could impair the public's confidence or trust in the operation of City government.

Q. **Failure to report a violation** is exemplified by, but not limited to, failure to

report to the proper authority any known violation described in Subsections F, G, H, I, J, K, L, or M.

- R. An employee shall maintain sufficient competence to properly perform his duties and to assume the responsibilities of his position. He shall direct and coordinate his efforts in a manner that will tend to establish and maintain the highest standards of efficiency in carrying out the functions and objectives of the City. The fact that the employee was deemed competent at the time of employment shall not preclude a judgment of incompetence as the result of job performance deficiencies. Apart from, or in addition to, other methods of proof of incompetence, such as failure to achieve and maintain acceptable job proficiency and to accept and execute duties, responsibilities, instructions, and orders with minimum supervision, a written record of repeated disciplinary actions for infractions of policies, rules, regulations, manuals, or directives, or repeated adverse counseling reports and/or evaluations reflecting need for improvement or indicating performance inadequacies, will be considered prima facie evidence of incompetence.
- S. No employee shall discriminate against any individual based on race, color, creed, religion, gender, national origin, age, disability, or physical handicap.
- T. An employee shall maintain a neat, well-groomed appearance and style his hair and wear his uniform or other apparel in accordance with individually established departmental standards.
- U. An employee shall maintain high standards of moral conduct in his personal affairs and shall not be a participant in any incident involving moral turpitude which tends to or does impair his ability to perform as a City employee or cause the City to be brought into disrepute.
- V. An employee shall refrain from undertaking any financial obligation which he knows, or should know, he will be unable to meet. An employee shall pay all just debts when due. Conduct in violation of this policy which tends to impair the efficient operation of municipal administration or causes the City to be brought into disrepute may be cause for disciplinary action.

Further, an employee shall not solicit any employee to co-sign or endorse any promissory note or other loan.

- W. An employee shall have the right to join labor organizations, but nothing shall compel the City to recognize or to engage in collective bargaining with any such labor organizations. No employee shall engage in any strike. "Strike" includes but is not limited to any of the following when engaged in for the purpose of inducing, influencing, or coercing a change in the conditions, compensation, rights, privileges, or obligations of employment:
1. The concerted failure to report for duty, willful absence from one's position;
 2. Unauthorized holidays;
 3. Sickness unsubstantiated by a physician's statement in accordance with personnel policy;
 4. The stoppage of work or the abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment; or
 5. An acceleration of work performance resulting in an unreasonable and substantial increase in City activity.
- X. No employee shall be or become a member with intent to further its aims of any organization, association, movement, or group which advocates or approves the commission of acts of force or violence to deny others their rights under the Constitution of the United States or which seeks to alter the form of government of the United States by unlawful means.
- Y. Employees shall notify their immediate supervisor of traffic violations, except Class C traffic offenses, any arrest, indictment or convictions within five (5) calendar days of such traffic violation, arrest, indictment or conviction. Employees who operate City vehicles or equipment are required to notify their immediate supervisor of all traffic violations, excluding parking violations, within five (5) calendar days of any conviction therefor.

- Z. Any employee detained by law enforcement authorities who fails to report to work or timely notifies his supervisor will be subject to disciplinary action for unexcused absence. If the employee does not report to work, the time shall be recorded as unpaid leave.
 - 1. At the time the City is made aware of an employee's arrest or conduct constituting a criminal offense, the Department Head, with final approval of the City Manager or his designee, may:
 - a. Allow the employee to return to regular duty with pay;
 - b. Allow the employee to return to restricted duty with pay;
 - c. Place the employee on paid administrative leave; or
 - d. Take disciplinary action up to and including termination.
 - 2. Disciplinary action may be pursued concurrently or at a later date.
 - 3. Determination of any action is subject to a case-by-case review of the facts that will determine, in accordance with applicable law, the choice of the option to be pursued.
- AA. Except for sworn peace officers, no employee of the City, whether licensed or not licensed by the State of Texas to carry a handgun, shall carry a handgun or any other firearm into any City building or portion of a building, or any City vehicle. This section will not prohibit an employee licensed by the State of Texas to carry a handgun from carrying a handgun in the employee's private vehicle parked at a City work site, or while traveling in their personal vehicle.
- BB. No employee shall make known any information concerning the progress of an investigation, a known or reported law violation, a condition against which action is to be taken at a future time or any proposed law enforcement action to any person not authorized to receive it. An employee shall treat the official business of the City as confidential and shall disseminate information regarding official business only to those for whom it is intended in accordance with established City procedures and consistent with Public Information Act. An employee may remove or copy

official records or reports from a City office only in accordance with established procedures and with the approval of the applicable Department Head. An employee shall not promise confidentiality or divulge the identity of a person giving confidential information except when authorized by proper authority and necessary in the performance of their work. Further, an employee shall not use information gained from any City information system for anything other than official City business.

- CC. An employee shall cooperate in an internal investigation in which he is the primary focus or for which he is a witness or affected party.
- DD. No employee may smoke or use smokeless tobacco inside, or within 10 feet of any entrance to, any building, facility or enclosed public area that is owned or operated by the City, except in areas designated by City Manager. In addition, at no time shall smoking or use of smokeless tobacco be permitted in any City vehicle or while operating motor equipment. Smoking or to smoke means the possession of a burning tobacco, weed or other plant product or the use of an “electronic vaping device.” Electronic vaping devices shall include any electronically powered or battery powered device designed to simulate the smoking of tobacco, cigarettes, pipes or cigars. An electronic vaping device includes personal vaporizers, electronic cigarettes (e-cigarettes), electronic pipes (e-pipes), electronic cigars (e-cigars) and any other type of electronic nicotine delivery system or any part thereof.
- EE. No employee shall take any lunch break, or stack breaks, at the beginning or the end of their scheduled workday/shift.

6.05 Code of Ethics (As it applies to City Employees)

A. Definitions

1. **Compensation.** Any economic benefit received in return for services, property, or investment.
2. **Discretionary Authority.** The power to exercise any judgment in a decision or action.
3. **Economic Benefit.** Economic benefit refers to any money, real or personal property, purchase, sale, lease, contract, option, credit, loan, discount, service, or other tangible or intangible thing of value, whether similar or dissimilar to those enumerated.
4. **Employee.** Any person employed by the City, including those individuals employed on a part-time or seasonal basis, but such term shall not be extended to apply to any independent contractor.
5. **Entity.** A sole proprietorship, partnership, limited partnership, firm, corporation, professional corporation, holding company, joint stock company, receivership, trust, or any other entity recognized by law through which business may be conducted.
6. **Gift.** Gift means favor, hospitality, or economic benefit, other than compensation.
7. **Officer or Official.** Any member of the City Council and any appointed member of a board, commission, authority, or committee set up by ordinance, the charter, state law, or otherwise on a temporary or permanent basis, but not members of a board, commission, authority, or committee which functions only in an advisory or study capacity and which has no discretionary, government, quasi-judicial, or administrative authority.
8. **Relative.** A relative means any person related to an officer, official, or employee within the first degree by consanguinity or affinity and shall include a spouse, father, mother, son, daughter, brother, or sister.

9. **Remote Interest.** An interest of a person or entity, including an official, who or which would be affected in the same way as the public.
10. **Substantial Interest.** An interest in another person or an entity if:
 - (a) the interest is ownership of ten percent (10%) or more of the voting stock, shares, or equity of the entity or ownership of five thousand dollars (\$5,000.00) or more of the equity or market value of the entity;
 - (b) fund received by the person from the other person or entity either during the previous twelve months or the previous calendar year equaled or exceeded five thousand dollars (\$5,000.00) in salary, bonuses, commissions, or professional fees or twenty thousand dollars (\$20,000.00) in payment for goods, products, or non-professional services, or ten percent (10%) of the person's gross income during that period, whichever is less; the person serves as a corporate officer or member of the board of directors or other governing board of the for-profit entity, other than a corporate entity owned or created by the City Council; or
 - (d) the person or creditor, debtor, or guarantor of the other person or entity in an amount of five thousand dollars (\$5,000.00) or more.
11. **Substantial Interest in Real Property.** An interest in real property, which is an equitable or legal ownership, with a market value of five thousand dollars (\$5,000.00) or more.
12. **Substantial Interest in Partnerships, Professional Corporations, and Other Entities.** If a City employee is a member of a partnership or professional corporation, or conducts business through another entity, a substantial interest of partnership, professional corporation, or entity shall be deemed to be a substantial interest of the City employee if:
 - (a) the partnership or professional corporation has fewer than twenty (20) partners or shareholders;
 - (b) regardless of the

number of partners or shareholders, the employee has an equity interest, share of draw equal to or greater than five percent (5%) of the capital or revenues of the partnership, professional corporation, or other entity; or with regard to the partnership, professional corporation, or other entity's substantial interest in a particular client, the employee has personally acted within the preceding twenty-four (24) months in a professional or fiduciary capacity for that client.

B. Policy and Purpose

1. It is the policy of the City of Lake Worth that the proper operation of democratic government requires that:

- a. City employees be independent, impartial, and responsible only to the people of the City;
- b. Governmental decisions and policies be made using the proper procedures of the governmental structure;
- c. No City employee have any interest, direct, or indirect, nor engage in any business transaction or professional activity, nor incur any obligation of any nature which conflicts with the proper discharge of his duties in the public interest;
- d. Public office not be used for personal gain;
- e. City employees fully comply with any federal and state statutes, laws and regulations, as amended, concerning conflicts of interest.

2. In furtherance of this policy, the City Manager has determined that it is advisable to enact this Code of Ethics for all City employees to serve not only as a guide for official conduct of the City's public servants, but also as a basis for discipline for those who refuse to abide by its terms and provisions.

C. Unethical Activity. No employee of the City shall:

1. Accept any gift or economic benefit of more than twenty dollars (\$20.00) in value from any person or entity which gift or economic

benefit might reasonably tend to influence such employee in the discharge of official duties, or grant in the discharge of official duties any improper gift, economic benefit, service, or thing of value.

2. Use his official position to solicit or secure special privileges or exemptions for himself or others.
3. Directly or indirectly disclose or use any information gained solely because of his official position or employment for his own personal gain or benefit or for the private interest of others.
4. Transact any business on behalf of the City in his official capacity with any business entity of which he is an officer, agent, or member or in which he owns a substantial interest. If such a circumstance should arise, he shall turn the matter over to his supervisor for reassignment, state the reasons for doing so and have nothing further to do with the matter involved.
5. Engage in any outside activities which will conflict with his assigned duties in the employment of the City, or which his employment with the City will give him an advantage over others engaged in a similar business, vocation, or activity.
6. Accept other employment or engage in outside activities incompatible with the full and proper discharge of his duties and responsibilities with the City, or which might impair his independent judgment in the performance of his public duties.
7. Receive any fee or compensation for his services as an employee of the City from any source other than the City, except as may otherwise be provided by law. This shall not prohibit an employee from performing the same or other services that he performs for the City for a private organization if there is no conflict with his City duties and responsibilities.

8. Represent, directly or indirectly, or appear on behalf of the private interests of others before any agency, board, commission, authority, or committee of the City, or accept any retainer or compensation that is contingent upon a specific action being taken by the City or any of its agencies, boards, commissions, authorities, or committees,
9. Use the prestige of his position on behalf of any political party or engage in any political activity which does not maintain the nonpartisan policy of the City; provided however, that all employees are encouraged to register and vote as they may choose in all local, state, and national elections.
10. Knowingly perform or refuse to perform any act to deliberately hinder the execution and implementation of any City ordinances, rules or regulations, or the achievement of official City programs.
11. Have a substantial interest, direct or indirect, in any contract with the City or a substantial interest, direct or indirect, in the sale to the City of any land, or rights or interest in any land, materials, supplies, or service.
12. Participate in a decision on any matter in which the employee has a direct or indirect substantial interest or in which a relative of the employee has direct or indirect substantial interest.
13. Grant any special consideration, treatment, or advantage to any individual, business organization, or group beyond that which is normally available to every other individual, business organization or group. This shall not prevent the granting of fringe benefits to City employees as an element of their employment or as an added incentive to the securing or retaining of employees.
14. Knowingly disclose information deemed confidential by law.
15. Participate in any decision relative to any amendment to the City's Comprehensive Master Plan or any change in the zoning classification of property if the employee or relative of the employee

has any interest in any property within two hundred feet (200') of the property which is the subject of the amendment to the City's Comprehensive Master Plan or on which the change in zoning classification is proposed. Further, any employee who has any such interest in property shall be legally disqualified from participating in any decision relative to the Comprehensive Master Plan amendment or change in zoning classification.

D. Disclosure of Interest

1. Any employee of the City who has a prohibited or substantial interest in any matter pending before the City, shall disclose such interest to a supervisor and shall refrain from further discussion of the matter.
2. Any employee who exercise discretion in the planning recommending, selecting or contracting of a vendor must file a conflicts disclosure statement with the City Secretary with respect to a vendor if:
 - a. The vendor enters in to a contract with the City or the City is considering entering into a contract with the vendor; and
 - b. The vendor:
 - a. Has an employment or other business relationship with the employee or relative of the employee that results in the employee or relative of the employee receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the employee becomes aware that the contract between the vendor has been executed or the City is considering entering into the contract.
 - b. Has given the employee or a family member of the employee one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the

date that the employee becomes aware that the contract between the vendor has been executed or the City is considering entering in to the contract.

c. Is a relative of the employee.

E. Penalty

1. The penalty prescribed herein shall not limit the power of the City Manager to discipline those employees under the City Manager's supervision pursuant to applicable provisions of the City Charter, City ordinances, these Regulations, state statutes, or other laws defining and prohibiting conflicts of interest.

F. Adoption of State Statute

Chapter 171 of the Texas Local Government Code, as amended, being the statute which regulates conflicts of interest of officers of municipalities in the State of Texas, is hereby adopted and made a part of this Code of Ethics for all purposes, with the provision that in case of a conflict between the provisions of this Code of Ethics and Chapter 171 of the Texas Local Government Code, then in that event the more restrictive provision shall govern.

G. Cumulative Legal Effect

In its legal effect, this section is cumulative of all provisions of the City Charter, Code of Ordinances, these Regulations, federal or state laws or regulations defining and prohibiting conflicts of interest.

6.06 Uniforms

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

Employees of the City are expected to exercise due care in the maintenance of all uniform items. Uniforms shall be neat and clean when the employee reports to work.

Employees in some departments will be unable to keep the uniform clean while working, but should strive to remain as neat in appearance as possible (shirt tucked in, etc.) When uniform items become unserviceable or unsightly, employees shall report such to their supervisor to authorize replacement.

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

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

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

6.07 City Vehicles and Equipment

To establish credibility, maintain integrity, and develop public trust, driving and overall operation of City vehicles and equipment must be above reproach. Employees are reminded that while operating City vehicles and equipment, employees are more closely scrutinized by the public and are held to higher standards of accountability in vehicle operation practices than the motoring public at large. Furthermore, there are considerable dangers associated with the operation of any vehicles or equipment. Therefore, the following regulation shall govern operations of all City vehicles or equipment that are owned, leased, or rented by the City.

A. Traffic Violations

City employees shall exercise due regard for the safety of others while operating City vehicles and equipment, and shall obey all traffic laws, City ordinances, these Regulations, or other applicable laws, including but not limited to the following:

- a. Employees shall stay alert for other vehicles, pedestrians, and bicyclists, which might unexpectedly enter the path of the vehicle.
- b. Employees shall avoid road hazards such as debris, curbs, potholes, etc.
- c. Employees shall operate City vehicles or equipment at reasonable speeds while taking into consideration such things as visibility, road and weather conditions, other traffic, etc.
- d. Employees shall operate only vehicles or equipment, which are in safe mechanical condition, including lights on trailers.
- e. Employees shall not litter from City vehicles or equipment, including the disposal of soft drink cans, etc.
- f. Employees shall ensure that all materials loaded in the back of a pick-up are securely fastened at all times.
- g. Employees shall wear a seatbelt at all times while operating or riding in a City vehicle, as required by law.
- h. Except for police and fire emergency vehicles, City vehicles and equipment shall be turned off and keys removed when employee(s) leave the vehicle.
- i. Employees assigned a City vehicle or equipment that is equipped with beacon lights, shall use such beacon lights as deemed necessary for safety purposes. Employees assigned a City vehicle or equipment that is not equipped with beacon lights shall exercise due caution when standing, stopping, or parking in a public right-of-way.
- j. At no time is the use of alcoholic beverages, illegal drugs, and/or legal drugs taken other than as recommended or prescribed permitted in City vehicles.

- k. At no time, may a City employee operate a City vehicle or piece of equipment under the influence of drugs, alcohol, or any other substance, which affects the employee's ability to operate a motor vehicle.

B. Lunch Breaks

Those employees who drive personal vehicles to and from work, but use City vehicles during work hours, shall not be allowed to use City vehicles during their lunch period. The following exceptions shall be applied:

1. A City business lunch engagement,
2. Police and Fire emergency service employees,
3. Performing City business when the lunch period approaches and the distance and time of travel to use their personal vehicle hinders their lunch period, or
4. An employee who is on twenty-four (24) hour call and drives a City vehicle.
5. To enable the City to respond promptly to the needs of the community and citizens, employees driving City vehicles are not allowed to leave the City limits or within one mile of the corporate limits, during meal breaks, unless approved by the City Manager.

C. Breaks

Breaks shall be taken within the City's corporate limits or within one mile of the corporate limits.

D. Use of Take Home Vehicles

Many City employees shall be driving City vehicles in the course of their duties with the City. Department Heads and certain other key personnel

within the City may be permitted to drive City-owned vehicles back and forth to work, based on the position held and duties to be performed. Assignment of take-home vehicles should be limited to those employees whose job duties require them to be on twenty-four-hour call and conduct City business on a frequent basis before and after normal working hours (supervisors and department heads). Permission for the assignment of a take-home vehicle shall be granted and authorized by the City Manager. Any employee assigned a take-home vehicle shall have the additional responsibility of always being available for service when they are off-duty, unless prior arrangements have been made with the employee's Department Head.

City of Lake Worth vehicles and equipment shall be used for official purposes only and shall not be driven more than twenty (20) miles from the City of Lake Worth. Personal and social uses of any nature, including transporting passengers who are not directly involved in official City business, are prohibited, excluding police and fire emergency personnel. Any exceptions to this rule must be approved in writing by the City Manager.

E. On Call

On occasion, employees, other than supervisors, Department Head, and police and fire emergency personnel may be on call after their normal working hours and on weekends. Those employees may be assigned a take-home vehicle for the purpose of responding to City emergencies/duties as required while on call. Employees using a take-home vehicle while on call shall strictly adhere to these Regulations at all times. Employees on call must respond within the time frame established by the Department Head and approved by the City Manager.

F. Care and Condition of Vehicles and Equipment

To prolong the life and properly maintain City vehicles, employees shall ensure that their assigned vehicles have sufficient gas, oil, and other fluids to prevent premature failure, and that all tires are kept properly inflated.

Additionally, when an employee suspects an impending mechanical malfunction, the vehicle shall be stopped and the motor turned off. The employee shall then seek advice or assistance from his immediate supervisor for proper continued operation or towing of the vehicle. Vehicles determined to be unsafe for operation shall be taken out of service until proper repairs are made. Any employee using a City vehicle or equipment shall be responsible for the condition of that vehicle or equipment.

1. Responsibility for properly functioning safety equipment and general inspection of City vehicles rests with the individual operator. Employees should inspect their assigned vehicles prior to operation. When vehicle damage is observed or equipment is determined to be missing or unsafe, the employee shall notify his or her supervisor as soon as practical.
2. Employees should strive to keep their assigned vehicle as clean and free of trash as possible. Employees shall remove all trash and litter while fueling the vehicle and prior to turning the vehicle over to another employee.
3. Employees shall secure the spare tire in its proper place and ensure that all other equipment is properly stored and secured.
4. Careless, abusive, negligent, or reckless handling or operation of any City vehicle or equipment by any employee may result in disciplinary action up to and including termination.

G. Driving Record Requirements

1. For new employees, the following is a list of UNACCEPTABLE DRIVING VIOLATIONS:
Either three (3) or more accidents in the last three years, or one (1) TYPE A VIOLATION in the last three (3) years, or any combination of

accidents and TYPE B VIOLATIONS which equal four (4) or more in the last three (3) years.

2. For current employees, the following is a list of UNACCEPTABLE DRIVING VIOLATIONS:

Either two (2) or more at-fault accidents in the last three years, or one (1) TYPE A VIOLATION in the last three (3) years, or any combination of at-fault accidents and TYPE B VIOLATIONS which equal four (4) or more in the last three (3) years.

For purposes of this Regulation, three (3) years shall be determined from the date the driver's license record, as provided by the Texas Department of Public Safety.

TYPE A VIOLATIONS

1. Driving while intoxicated.
2. Driving under the influence of drugs.
3. Negligent homicide arising out of the use of a motor vehicle (gross negligence).
4. Using a motor vehicle for commission of a felony.
5. Aggravated assault with a motor vehicle.
6. Operating a motor vehicle without owner's authority.
7. Reckless driving.
8. Hit and Run (Bodily Injury and/or Property Damage) driving.

TYPE B VIOLATIONS

All moving violations not listed in Type A.

Any violation of these Regulations is subject to disciplinary action up to and including termination of employment.

6.08 Solicitation

- A. Definition

Solicitation is defined as any act or attempt to advertise, market, take orders, offer to sell, sell any product or service, or to seek contributions for organizations, campaigns, or charitable purposes.

B. Policy

Solicitation shall not be permitted of or by City employees during work or business hours, other than for the following exceptions:

1. Solicitation of funds for the purpose of parties, gifts, flowers, cards, or events for a City employee shall be permitted of or by City employees during work or business hours.
2. Solicitation of funds for City sponsored functions and events shall be permitted of or by City employees during work or business hours. City functions and events may include but are not limited to United Way, Muscular Dystrophy, Library fundraisers, and other charitable purposes sponsored by the City.
3. Solicitation of funds shall be permitted for not for profit youth-sponsored events (i.e. school, band boosters, scouting). Solicitation of funds for these purposes shall be limited to placing order forms or products in the breakroom for employees to view at their leisure. Distribution of purchased goods shall only be permitted during lunch, or before or after work hours.

C. No employee is required to make any contribution, nor will an employee be penalized in any way in connection with his or her employment according to his or her response to a solicitation of funds for City sponsored functions or events.

D. Employees engaged in non-authorized solicitation efforts shall be instructed to cease such activity and further engagement in such activities may result in disciplinary action.

E. Vendors and Salespersons

1. This policy does not limit or restrict salespersons and vendors from conducting City-related business with the City.
2. Salespersons and vendors attempting to conduct unsolicited business with employees should contact the Human Resources Division for information on the City's administrative policy for "Solicitation of Business." This policy allows businesses to provide discount flyers or handouts for all employees through the Human Resources Division. All inquiries shall be directed to the Human Resources Division for review and final approval.

6.09 Political Activity

- A. It is the policy of the City of Lake Worth to encourage its employees to fully exercise their constitutional rights as citizens to vote and participate in political activities. Although the City encourages active participation in electoral activities, employees should be aware of certain provisions which apply to them.
- B. Employees shall not engage in partisan political activity during work hours or while wearing a City uniform.
- C. An employee of the City of Lake Worth may become a candidate for public office. However, the employee is still expected to fulfill all duties and responsibilities associated with their employment with the City.

CITY OF LAKE WORTH
TITLE I
PERSONNEL REGULATIONS

CHAPTER 7 DISCIPLINE AND APPEAL PROCEDURES

7.01 Fair and Equitable Standards

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

7.02 Guidelines

The Human Resources Division is authorized and directed to promulgate guidelines and procedures, consistent with the City Charter and ordinances, as are reasonably necessary and appropriate to implement the rules of employee conduct and discipline contained in Chapter 6.

7.03 Pre-Clearance by Human Resources Division

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

7.04 Types of Disciplinary Action

- A. In making a decision as to what type of discipline should be imposed, the Department Head should consider such factors as the type and severity of the offense(s), the employee's work record, and any mitigating

circumstances which may be relevant to the situation.

- B. The following disciplinary actions are not exclusive and may be initiated against an employee for violations of these Regulations and/or City or departmental rules and regulations:

1. **Employee Counseling**

Employee counseling is designed to provide constructive feedback to the employee for infractions that need improvement. This type of action is generally of a non-disciplinary nature.

2. **Documented Oral Reprimand**

An oral reprimand is best suited for a minor rule infraction or incident of substandard performance. An oral reprimand should identify violations and indicate areas needing improvement

3. **Written Reprimand**

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

4. **Suspension**

A suspension is to bring about a change in behavior and results in time off without pay. The employee should be encouraged to reflect on his behavior during the suspension and to decide whether he wishes to correct the offending behavior or terminate his employment. A Department Head may suspend an employee without pay for a period of not less than one (1) hour nor more than ten (10) working days. Prior to suspending an employee, the

Department Head shall confer with the Human Resources Division. Suspension for more than ten (10) working days requires the written approval of the City Manager. The Department Head contemplating a suspension shall give written notice to the employee stating (1) the type of disciplinary action contemplated, (2) the specific rule(s) or policy(s) violated, (3) the specific incident(s) causing the action, (4) the employee's right to appeal to the City Manager within a specified time, and (5) the finality of the action if the employee fails to appeal within the specified time period, and (6) an opportunity for the employee to provide a written or verbal statement in response to the allegations. Upon review of any information provided by the employee, the Department Head shall make his final determination in writing. The suspension documentation shall become a permanent part of the employee's personnel file and will remain part of the employee service record upon separation from employment.

5. **Demotion**

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

any information provided by the employee, the Department Head or Division Head shall make his final determination in writing. The demotion documents shall become a permanent part of the employee's personnel file and will remain part of the employee service record upon separation from employment.

6. **Termination**

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

7.05 Procedures to Appeal a Written Reprimand

- A. Any employee dissatisfied with any written reprimand received by that employee may file a written appeal to his Department Head within three (3) working days of the action taken. In the event the City Manager has rendered the written reprimand; the City Manager's action shall be non-appealable.
- B. The written appeal must be submitted to the Department Head and shall contain the following information:
 - 1. The type of disciplinary action being appealed and the effective date of the action;

2. The specific reason the discipline is judged to be unjust or otherwise in error;
 3. The remedy or solution sought; and
 4. The signature of the disciplined employee.
- C. The Department Head shall discuss the facts surrounding the disciplinary action with the affected employee. A careful review of the charges and evidence of the action and/or omission shall be conducted by the Department Head. The Department Head shall respond in writing to the employee, stating the disposition of the written reprimand within three (3) working days of the discussion. The Department Head may sustain, reverse, modify, or amend the action taken as he determines is just and equitable under all the facts and circumstances of the case.

7.06 Procedures to Appeal a Termination, Demotion, or Suspension

- A. Any employee dissatisfied with any termination, demotion or suspension received by that employee may file a written appeal to his Department Head within three (3) working days of the action taken. In the event the City Manager has rendered the termination, demotion, or suspension; the City Manager's action shall be non-appealable.
- B. The written appeal must be submitted to the Department Head and shall contain the following information:
1. The type of disciplinary action being appealed and the effective date of the action;
 2. The specific reason the discipline is judged to be unjust or otherwise in error;
 3. The remedy or solution sought; and
 4. The signature of the disciplined employee.
- C. The Department Head shall discuss the facts surrounding the disciplinary action with the affected employee. A careful review of the charges and

evidence of the action and/or omission shall be conducted by the Department Head. The Department Head shall respond in writing to the employee, stating the disposition of the written reprimand within three (3) working days of the discussion. The Department Head may sustain, reverse, modify, or amend the action taken as he determines is just and equitable under all the facts and circumstances of the case.

7.07 Procedures to appeal to City Manager for Termination, Demotion, or Suspension

A. An employee who is terminated, demoted, or suspended without pay shall have a right to appeal that decision to the City Manager. The right to appeal must be exercised within three (3) working days of the date of the decision, by filing a written request with the City Manager and a copy to the Human Resources Division. If the employee fails to appeal the decision of the Department Head in accordance with these provisions, the decision of the Department Head shall become final and non-appealable.

B. In the event an appeal is requested; the City Manager shall hear the appeal within a reasonable amount of time. The City Manager may recommend that he sustain, reverse, modify or amend the action taken. Further, the appeal hearing may be audiotaped and, if so, the audiotape shall become part of the employee's permanent personnel file.

C. Any appeal to the City Manager for termination, demotion, or suspension shall proceed as follows: Department Head shall be allowed to make a presentation of the City's case, explaining and detailing the reasons for the disciplinary action imposed. Such presentation may include the production of witnesses and/or documentation supporting the disciplinary action imposed. After the City's presentation, the employee or his attorney shall be permitted to ask questions and/or cross examine witnesses. Thereafter, the affected employee or his attorney shall be permitted to make any statements or produce witnesses and/or documentation on the employee's behalf. After the employee's presentation, the Department Head, or City Attorney, shall be permitted to ask questions and /or cross examine witnesses. Both sides shall be permitted to make a closing statement, if desired. At any time during the appeal the City Manager may ask

questions of both the City's representative(s), the employee and any witnesses. The presentation or procedure herein may be modified and there is no absolute right to any presentation. Further, the failure to follow any presentation or procedure referenced herein does not create any additional appeal rights.

7.08 City Manager's Review and Determination of Appeal

The City Manager shall have ten (10) working days to make a determination or request further information if needed to render a final decision. After reviewing evidence presented, the City Manager may sustain, reverse, modify, or amend the action taken as he determines is just and equitable under all the facts and circumstances of the case. The decision of the City Manager is final and non-appealable.

7.09 Failure to Follow Appeal Procedure

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

7.10 "Working Days" Defined

"Working days", as referenced in this section, means the scheduled work days of the person responsible for initiating an action in these rules and regulations for which a time limit is established. A fire shift (24 hours) is equivalent to two (2) working days. Time limits begin to run the working day following the incident, event, hearing, or notice.

7.11 Time Limits

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

7.12 Inapplicability

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

CITY OF LAKE WORTH

TITLE I

PERSONNEL REGULATIONS

CHAPTER 8 GRIEVANCE AND APPEAL PROCEDURES

8.01 Grievance Defined

A grievance is an allegation regarding the violation, misinterpretation, or improper application of a specific state or federal law regulation, or City charter or ordinance provision. This does not include questioning the substance of policy or complaints regarding an employee's individual working conditions. The Human Resources Division will be responsible for coordination of the grievance and appeal procedures and for the maintenance and control of grievance records.

8.02 Grievance Procedure and Appeals

A. An employee shall, within three (3) working days of the date the incident occurred or from which he could have become knowledgeable of the incident, discuss the matter with his supervisor. If the supervisor is not able to resolve the matter or fails to respond, the employee may, within three (3) working days of the date the grievance was first discussed with his supervisor, present a grievance in writing to the Department Head with a copy to the Human Resources Division. The written grievance shall contain the following information and should note significant times, dates, and actions taken relative to the grievance.

- The facts upon which the grievance is based,
- Specific wrongful act and harm done, and
- The remedy or adjustment sought.

The Department Head shall respond in writing within ten (10) working days of receipt of the grievance. If the Department Head is the employee's immediate supervisor, the employee may, within three (3) working days of the date the grievance was first discussed with the Department Head,

present the grievance in writing to the City Manager with a copy to the Human Resources Division. The City Manager shall within three (3) working days designate himself or an Assistant City Manager to hear the grievance.

- B. The Department Head, City Manager or the Assistant City Manager shall review the grievance and render a decision within ten (10) working days after receiving the grievance, unless an extension of time is required in order to gather additional information. The decision of the City Manager or the Assistant City Manager regarding the grievance is final and non-appealable.
- C. A grievance presented to any Department Head shall be reviewed by the City Manager. The decision of the City Manager regarding the grievance is final and non-appealable.

8.03 Failure to Follow Grievance Procedure

If any employee fails to file a grievance within the time limits specified in this chapter or grieve in accordance with the provisions of this chapter or in accordance with the guidelines and procedures promulgated by the Human Resources Division, or fails to appear at a hearing, the decision shall be final and non-appealable.

8.04 "Working Days" Defined

"Working days", as referenced in this section, means the scheduled workdays of the person responsible for initiating an action in these rules and regulations for which a time limit is established. A fire shift (24 hours) is equivalent to two (2) working days. Time limits begin to run the working day following the incident, event, hearing, or notice.

8.05 Time Limits

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

8.06 Representation

Representation shall be allowed during the grievance process.

8.07 Annual Analysis

In order to identify trends, the Human Resources Division and a departmental management representative will meet annually to review and analyze all grievances filed by their respective departmental employees in the previous year. A documented summary will be forwarded to the Department Head.

CITY OF LAKE WORTH

TITLE I

PERSONNEL REGULATIONS

CHAPTER 9 SEPARATION FROM EMPLOYMENT

9.01 Rules and Regulations

An employee may leave City service in good standing by submitting his written resignation in the prescribed manner, giving two (2) weeks' notice to the employee's supervisor and the Human Resources Division; Department Head's may leave City service in good standing by submitting his written resignation giving thirty (30) days notice. The Department Head may waive any portion of the notice period. An employee resigning without the required notice shall be ineligible for reinstatement and accumulated leave pay, if applicable, unless the notice provision provided herein is waived. Refer to Section 3.16 for information on pay at time of separation.

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

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

9.02 Reduction in Force

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

9.03 Elimination of Positions

The City Manager, at his discretion, may eliminate a position of employment, when one or more of the following conditions exists:

- a. When the position is no longer required in order to provide services for the citizens of the City;
- b. When budgeted manpower, ceilings have been exceeded;
- c. When there is insufficient revenue to support the function of the position; or
- d. Due to reorganization.

9.04 Termination

An employee may be terminated in accordance with Chapter 7, Discipline and Appeal Procedures.

9.05 Exit Interview

Upon separation from employment, all employees shall schedule an exit interview with the Human Resources Division. The interview shall be for the purpose of reviewing the employee's personnel file to ensure that all requirements of these Regulations, the retirement plan, health insurance, and income tax have been complied with. Additionally, the employee will have an opportunity to complete an Exit Interview form, so as to provide comments to the City regarding employment issues.

**CITY OF LAKE WORTH
PERSONNEL AND ADMINISTRATIVE REGULATIONS MANUAL**

**TITLE II
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CITY OF LAKE WORTH

TITLE II ADMINISTRATIVE REGULATIONS

CHAPTER 1 INCIDENT NOTIFICATION

1.01 Purpose

On occasion incidents will occur in the City that will have a direct effect on a number of residents. When incidents occur, the City should be prepared to respond to public inquiries with complete and accurate information, and this policy is established to provide a procedure for communication with the public.

For purposes of this policy, incident shall mean an occurrence of an action merely by chance or without intention or calculation, that is likely to accompany a minor consequence or lead to a major consequence. Examples of incidents that directly affect a number of residents include, but are not limited to the following:

- A. a water main line break, causing residents to be without water;
- B. closure of a roadway, which would deny access to residences, subdivisions, etc;
- C. any evacuation efforts;
- D. any incident that might draw media attention.

1.02 Applicability

This policy is effective immediately and is applicable to all departments of the City of Lake Worth.

1.03 Assessment by Supervisor

A department supervisor should report to any incident location and remain on-site, or in contact with an employee on-site at all times when such incident will or could, have a direct effect on a number of residents. The supervisor should ascertain the following information:

- a. The facts surrounding the incident;
- b. How long the residents will be affected;

- c. The anticipated time the incident should be corrected/repared; and
- d. Which residents are, or will be affected.

1.04 Incident Notification by Supervisor

- A. After the above information is obtained by the field supervisor, he shall immediately contact the City Manager to relay such information in detail. In case of absence or unavailability of the City Manager, the field supervisor shall contact his designee. For purposes of this policy, the City Manager designees are as follows (in order): Assistant City Manager, Police Chief, or Fire Chief. The City Manager or his designee shall review the information provided and relay such information to customer service employees to receive and respond to inquiries from the public. The City Manager shall inform the City's Human Resources Department of which employee(s) all inquiries should be forwarded to. Should an incident occur other than between 8:00 a.m. and 5:00 p.m., Monday through Friday, the field supervisor shall contact his department head and the police and fire emergency dispatcher to provide the information in Section 1.03 A-D.
- B. The field supervisor shall remain in contact with the City Manager or emergency dispatcher, providing updated information until such time that the incident has been corrected/repared and citizens are no longer directly affected.

CITY OF LAKE WORTH
TITLE II
ADMINISTRATIVE REGULATIONS

CHAPTER 2 BUSINESS TRAVEL POLICY

2.01 Purpose

Because City employees are frequently required to travel, attend local meetings, or otherwise incur expenses in the interest of the City, it is the policy of the City of Lake Worth to provide necessary funding for approved conventions, educational meetings, business trips, and other business-related activities. This policy is established to provide guidelines for reimbursement for travel expenses and consistent procedures for travel authorization, documentation, and accounting.

2.02 Applicability

This policy applies to all regular employees of the City of Lake Worth. Any questions regarding procedures should be directed to the Finance Department.

2.03 General

- A. Decisions regarding employee training should be made during the annual budget process. Department Heads may substitute a conference or education meeting for another that was originally planned and budgeted, or substitute a person attending, provided the total dollars budgeted are not exceeded.
- B. Employees are expected to exercise good judgment and proper regard for economy when incurring travel expenses.
- C. There is no objection to a spouse and/or other family members accompanying an employee on an official out-of-town trip, provided that

their presence does not detract from the performance of duty. Expenses attributable to the family, such as conference registration for spouses or special event charges, will not be reimbursable by the City.

- D. In situations where extraordinary travel expenses are expected to be incurred, or where this regulation does not cover the situation, or would create a significant hardship if strictly applied, the City Manager may authorize exceptions.
- E. Any request for out-of-state travel will only be considered if such travel is in the best interest of the City.

2.04 Approval of Travel

Prior to making any travel arrangements, an employee shall complete a Travel Voucher form and have it approved by the employee's Department Head. The Department Head shall verify availability of funds before submitting the Travel Voucher to the Finance Department for payment of registration, travel, lodging, travel advance, etc.

2.05 Allowable Expenses

The City will pay all reasonable expenses for employee travel, food, lodging, conference registration, tips, parking, taxis, and other associated necessities, provided that the employee submits appropriate documentation. All expenses must be accompanied by receipts (except per diem and mileage costs).

- A. Transportation. Employees may use the mode of transportation he prefers and should be reimbursed on the basis outlined in subsections 1 - 6 below. Ordinarily, when traveling other than by car, round trip tickets should be purchased for travel, but going by one mode and returning by another is allowed if schedules so dictate or if there is not a disadvantage to the City. When making travel arrangements, employees will secure the lowest rates

available (e.g., contracted travel arrangements with convention/seminar hosts, or other.)

1. Air Travel. Reimbursements shall be limited to Economy Class utilizing the most direct route where such services are available. Business Class airfare may be paid or reimbursed only if a lower airfare is not available and approval is obtained by the Department Head. When carry-on luggage is not sufficient for a business trip, Baggage Fee reimbursement will be limited to one bag per traveler.
2. City Vehicle. City vehicles may be used to travel to destinations of up to 300-mile radius from Lake Worth on City business. Special approval for longer trips may be granted by the City Manager if there are two employees traveling together or if there is some other justification. Gasoline and similar expenses will be reimbursed by the City with valid receipts.
3. Personal Vehicle. Employees who do not have access to City vehicles will be reimbursed for mileage at the current Internal Revenue Service (IRS) standard mileage rate. The rate reimbursed will automatically change on a calendar year basis to mirror the IRS standard mileage rate. When an employee chooses to drive his car on a trip longer than 300 miles, reimbursement shall be limited to the combined cost of airfare, taxi and related expenses or the mileage rate per mile, whichever is lower. Documentation must be submitted to verify calculations. Mileage is calculated as using City Hall, 3805 Adam Grubb, as a starting point.

For employees receiving a car allowance or those who have a City issued vehicle, but traveling by personal vehicle, the mileage reimbursement will only be paid when travel is greater than 50 miles (one way) of Lake Worth City Hall.

The City does not provide insurance coverage for any employee who uses his personal vehicle for business purposes. It is the employee's

responsibility to protect against damage to his vehicle and legal liability in such form and amount as the employee deems adequate.

4. Rail travel. Reimbursement shall be limited to coach fares.
5. Car Rental. Rental cars should not be used except when taxis are inconvenient due to distance or number of necessary local trips to be taken. In the event an employee should rent a car, the City will reimburse the fee for an economy-type vehicle. An employee should decline the liability/collision damage waiver offered on the rental contract, as this coverage is already provided by the City.
6. Other. Travel to and from airports should be by bus or hotel shuttle where such services are in operation, and by taxi/Uber/Lyft as a last resort.

B. Lodging. The City will pay accommodations through the duration of the event, plus the day prior and/or after, if required, to meet arrival/departure times or restrictions. If an employee chooses to arrive earlier or stay later, additional lodging and other expenses related to such choice will be at the employee's personal expense. Reservations should be made at the single room rate (unless double is the same rate or lower), taking advantage of government, seminar, or other group discounts whenever possible. Conferences and training taking place in Tarrant County are not eligible for lodging.

C. Meals. The City will pay all reasonable meal costs when directly related to overnight travel for City business. In-state travel per diem will be paid based on the current standard rate for M&IE (Meals and Incidental Expenses) listed in the US General Services Administration (GSA) website, adjusted annually. Out-of-state travel per diem will be paid at the current standard M&IE rate listed on the GSA website for the destination city. If the destination city is not listed, the rate for the closest city will apply. Meals charged on City credit cards should be processed for payment using credit

card payment procedures. Meals should not be charged on city purchase cards when a per diem was provided. Employees are responsible for meal expenses exceeding the per diem amount. Meals, which are paid for in advance (e.g., as part of registration, ticketed separately as a conference event), may not be considered as part of the per diem reimbursement. Adjustments to per diem must be approved by the City Manager. No per diem shall be claimed if meals are paid by others. If an employee pays for the meals for a non-City employee, a receipt should be submitted with details indicating the name of the person, organization, and business purpose for consideration of reimbursement.

- D. Conferences and Seminars. All conference and seminar registration fees will be paid in full by the City, subject to the approval of the Department Head.

- E. Miscellaneous Expenses.
 - 1. Airport Parking. Receipts shall be submitted for airport parking at D/FW Airport or Love Field Airport. Long-term parking should be used whenever possible.

- F. Non-Allowable Expenses. Expenses for the following shall not be paid by the City:
 - 1. in-hotel pay television or videos;
 - 2. health clubs and spas;
 - 3. alcoholic beverages;
 - 4. food or drink refreshment in excess of per diem;
 - 5. entertainment unrelated to City business (e.g., attending a play or movie with friends);
 - 6. calls to 900 numbers; and
 - 7. dry cleaning or laundry.

2.06 Spouse/Family Travel

When accompanied by a family member, an employee shall pay all incremental costs related to having the member along on the trip. Examples of incremental costs include the difference in lodging costs between single and double occupancy, and all meal, and incidental costs of the family member. Spouses may accompany a City employee on official business with such expenses reimbursed by the City only when the spouse has specific duties to perform for the benefit of the City and such expenses are approved in advance by the City Manager. Estimated costs of spouse travel must be clearly identified on the Travel Voucher form and approved by the City Manager.

2.07 Requesting Payment and Reporting Travel Expenses

- A. Airfare, Lodging, and Seminar Fees. A Travel Voucher form should be approved and hotel reservations made prior to submitting it to the Financial Services Department for payment of travel costs. Financial Services will return all checks related to the Travel Voucher to the department for verification and mailing. The upper half of the Travel Voucher form must be completed, approved, and submitted in accordance with the accounts payable schedule for writing checks.

- B. Advances for Meals and Incidentals. Cash advances for anticipated travel expenses shall be requested by indicating so on such portion of the Travel Voucher form. Again, the Travel Voucher form must be submitted in accordance with the accounts payable schedule for writing checks. Advances are intended to cover the cost of meals, taxis (uber/lyft), and similar incidental out-of-pocket expenses, generally NOT airfare, lodging, or conference fees, which should be paid directly to the travel agency, hotel, or conference sponsor by the City. Tolls will be reimbursed at the completion of travel. Toll expenses should be substantiated with a copy of toll tag account, toll receipt, or toll billing statement.

2.08 Submitting Expense Report

All employees who use City funds for authorized trips shall submit the Travel Voucher form with the Recapitulation of Travel Expenses portion of the form completed within five (5) working days of the return of the trip.

All prepaid amounts should be listed and totaled in the Prepaid Expenses or Billed to City column, of the Travel Voucher. Actual expenses should be listed and totaled in the Actual Amount column of the Travel Voucher. If the total advanced and prepaid expenses are larger than the total actual expenses, the difference is the amount owed to the City by the employee. If the total advanced and prepaid expenses are smaller than the total actual expenses, the difference is the amount owed to the employee by the City. The calculated difference of the total advanced and prepaid expenses and total expenses should be entered on the total due line, with the appropriate box marked.

An amount due the employee will arise if the employee receives an advance less than the amount he paid for trip costs, or if the employee chooses not to request an advance. Upon approval by the employee's Department Head, and review by the Financial Services Department / Accounting Services Division, a check will be written to the employee in accordance with the accounts payable processing schedule.

An amount due the City will arise if the employee receives an advance greater than the amount he paid for trip costs. The employee should submit the Travel Voucher and any monies owed the City to his Department Head for approval. The Department Head will then submit the Travel Voucher to Financial Services for processing. It is recommended that the employee reimburse the City by check as his proof of payment.

The employee should attach all receipts to the Travel Voucher. Airline ticket stubs and detail hotel receipts should be included, although already paid by the City.

The completed Travel Voucher must then be reviewed and approved by the employee's Department Head and submitted to the Financial Services Department for authorization and payment, or verification of proper documentation of expenses. The Department Head is responsible for ensuring that all Travel Vouchers are completed in accordance with the City's Business Travel Policy.

2.09 Local Expenses

- A. Mileage. Mileage reimbursement is available for local events directly related to City business, from City Hall to the event and back. For those employees receiving car allowances, mileage will not be reimbursed for travel within Dallas, Tarrant, Denton, and Collin Counties.

- B. Meals. Lunch expenses incurred while attending local seminars or events will be reimbursed by the City provided the lunch is an integral part of the seminar or event and is billed accordingly. Meals will not be reimbursed for trips/training that do not include an overnight stay unless the purpose of the meal is a meeting with non-City personnel.

Other food expenses for working lunches, work place meetings, or other business purposes is reimbursable provided that documentation of the expense, list of attendees, and business purpose is submitted and the expense has been approved by the Department Head. These types of expenses can also be submitted to Financial Services by receipt or check requisition.

Dinner expenses incurred while attending local seminars or events will be reimbursed by the City in full providing the dinner is an integral part of the event and ticketed as such.

- C. Miscellaneous. The City will reimburse the employee for expenses incurred for parking and tolls.

- D. Obtaining Reimbursement. An employee shall submit a completed Travel Voucher form as outlined in Section 2.08 above.

CITY OF LAKE WORTH

TITLE II ADMINISTRATIVE REGULATIONS

CHAPTER 3 VACATION/SICK BUY-BACK POLICY

3.01 Purpose

The purpose of this policy is to explain the procedure for annual vacation and sick buy-back. Vacation and sick buy-back is provided as an optional benefit, subject to budgetary constraints, for employees who elect to convert accrued vacation and/or sick into a cash value on an annual basis.

3.02 Applicability

This policy is applicable to all full-time employees who elect to sell back their accrued vacation and/or sick hours to the City of Lake Worth.

3.03 Eligibility Criteria

- A. Regular full-time employees may sell back a maximum of 40 hours of each benefit; firefighters may sell back a maximum of 60 hours of each benefit.
- B. Vacation hours eligible to be bought back are those hours, up to the maximum allowed, which are accrued as of November 1, of the year payment is made.
- C. Sick hours eligible to be bought back are those hours that exceed 50% of the maximum allowed which are accrued as of March 1 of the year payment is made.

3.04 Procedures/Responsibility of the Financial Services Department

- A. The Financial Services Department shall request a form letter from all eligible employees, during the budget process, requesting employees to complete the form notifying the Financial Services Department of their intent to sell vacation and/or sick hours and the number of hours they wish to sell.
- B. In the Fall, a second form letter will be sent out by the Financial Services Department to employees who previously responded they would sell hours.

The employee shall verify by signature that they do wish to sell the hours and the number of hours they wish to sell. The employee shall receive payment for the requested vacation hours before the end of the calendar year and requested sick hours in April of the following year.

3.05 Procedures/Responsibility of the Employee

- A. The employee shall be responsible for completing the first form during the budget process in order to indicate their intent to sell vacation and/or sick hours back to the City and the number of hours. Employees who do not complete the first form when requested shall not be eligible to sell vacation and/or sick hours back to the City until subsequent buy-back cycle is began.
- B. The employee shall be responsible for completing the second form, distributed in the Fall, with the hours they want to sell. These hours may be less than what was indicated on the first form, but may not be more hours.

CITY OF LAKE WORTH

TITLE II ADMINISTRATIVE REGULATIONS

CHAPTER 4 INCLEMENT WEATHER

4.01 Purpose

On occasion, City operations will continue to be conducted during adverse weather conditions. This policy is to provide employees with guidelines about reporting to work during such conditions.

4.02 Applicability

This policy is effective immediately and is applicable to all City employees, except for Public Safety personnel and emergency response personnel, including certain Public Works, Utilities, and sanding crews.

4.03 Policy

- A. All employees are expected to make an effort to arrive at work each day prior to commencement of the work period, regardless of weather conditions. However, when a winter storm warning is forecasted or in effect, department heads may use their discretion in permitting employees who live outside the immediate vicinity to report for work one hour after the start of the employee's work day and/or be released one hour before the end of the employee's work day. For the purpose of this policy, "immediate vicinity" shall be defined to include Lake Worth and 15 mile radius of City Hall.

- B. When driving conditions, as a result of inclement weather, are such that an employee believes he would endanger his life or property in driving to work but the City has not been "officially closed", the employee should report to work at such time when conditions should improve. Time missed will be

charged to accrued benefit time in the following order: compensatory time, vacation and holiday.

- C. When weather conditions are such that the City Manager declares the administrative offices “officially closed” due to severe weather conditions, employees will be excused for the day, with pay and without being required to use accrued benefit time. The responsibility for designating those emergency service personnel who are required to be on the job regardless of weather conditions will rest with the Department Head and the City Manager.

4.04 Employee Responsibility

- A. When driving conditions are such that an employee will not arrive at work prior to the commencement of the work period, he shall notify his supervisor immediately of his tardiness and expected time of arrival.
- B. When driving conditions are such that an employee believes he would endanger his life or property in driving to work, but the City has not been “officially closed”, the employee shall notify his supervisor immediately that he will not be reporting to work unless conditions improve. The employee shall contact his supervisor during the day providing an update on weather conditions to determine his ability to report to work.

4.05 Leave

- A. An employee working less than eight (8) hours, or scheduled hours, during any work period due to inclement weather conditions, will have accrued leave balances reduced in the following priority: compensatory or equivalent leave, if available; holiday leave, if available; and vacation leave, if available. If no

leave is accrued and available, employees will be granted leave without pay for hours not worked.

- B. When the City Manager declares the administrative offices “officially closed”, regular full-time and part-time employees who are scheduled to work that day, other than emergency personnel, will be excused for the day without penalty or loss of pay.

4.06 Procedure for Official Closing

The City Manager shall notify the Executive Team, Human Resources Division, and the Office of Emergency Management that City administrative offices will be “officially closed” as soon as such decision has been reached. The Executive Team will, as soon as practical, contact their respective Department Heads notifying them of the “official closing”. Department Heads are then responsible for notifying their supervisors, and supervisors are responsible for notifying their employees. Department Heads are also responsible for ensuring that Public Safety personnel and emergency response personnel have been designated and report for duty.

In addition to the previous stated notices, the Human Resources Division will send out an “all employee” email. The IT Manager will place a message on the City’s website, the main telephone line, and all official social media platforms communicating the official closing. The Office of Emergency Management is responsible for activating the Emergency Notification System. Any adjustments outside of the above guidelines must be approved by the City Manager.

CITY OF LAKE WORTH

TITLE II ADMINISTRATIVE REGULATIONS

CHAPTER 5 FRIENDLY FRIDAY DRESS CODE

5.01 Purpose

The purpose of the Friendly Friday policy is to allow employees to wear relaxed attire while continuing to maintain and convey a professional image to the general public. City employees must maintain the highest standards of personal cleanliness and grooming and shall present a neat appearance at all times during work hours. Presenting a professional image creates a favorable impression for the city, promotes respect among co-workers, and encourages higher work standards.

5.02 Casual Day Dress Policy

- A. All office personnel should strive to dress and appear as professionals. Clothing should be clean, pressed or wrinkle-free, and not immodest or unconventional during working hours.
- B. On designated Fridays, attire may be relaxed but shall remain within the confines of professionalism and good taste. The Department Head may waive casual Friday when circumstances deem it necessary. Appropriate dress for casual days is as follows:
 - 1. Polo or Rugby shirts with City logo (if available) may be worn.
 - 2. Slacks, casual style pants such as Dockers or khakis, and skorts may be worn
 - 3. No tee shirts with messages, tube, tank, or halter style tops.
 - 4. No gym clothes; sloppy attire; thong style sandals.
 - 5. No shorts or cut-offs.
 - 6. Except for City uniforms, hats or caps without images or writing may be worn.

Friendly Friday dress code is not applicable to those employees who wear a city issued uniform. Please refer to PARM, Title I, Chapter 6, Section 6.06, Uniforms.

5.03 Exceptions to Friendly Friday Dress Policy

The department head will determine when and if special circumstances exist which preclude his department from participating in Friendly Friday.

Exceptions may be made at the Department Head's discretion for special theme days, e.g. Halloween, or any other event designated by the City Manager.

When the manner of one's dress and condition of personal hygiene interferes with professionalism, correction will be required by the Department Head. Friendly Friday may be observed on another day of the week when Friday is an official City Holiday.

CITY OF LAKE WORTH
TITLE II
ADMINISTRATIVE REGULATIONS
CHAPTER 6 CERTIFICATION PAY

6.01 Purpose

The purpose of this policy is to establish guidelines for the Certification Pay Program.

6.02 Applicability

This policy is effective immediately. All regular full-time employees are eligible for incentive pay. Exempt employees are ineligible to receive certification pay.

Employees shall not exceed the maximum certification dollar amounts indicated in Title II, Chapter 6, Appendix A.

6.03 Policy

Under policies and guidelines established by the City Manager and approved by the City Council, employees may receive additional compensation per month for each qualifying certificate, license, or college degree obtained above the “minimum requirements” within their respective professions, as listed in their job description.

To qualify for the certification pay program, certificates, licenses or college degrees must be obtained from a State accredited college or university, a State certification or licensing agency and/or a recognized professional association performing a similar certification or licensing function for personnel in the applicable profession, and must be maintained in an active

status. Certificates, licenses, or college degrees must also be directly related to an employee's present position, and current job duties, profession and/or occupation. To qualify for the certification pay program, a certificate, license or college degree must not be a job requirement for the employee's present position.

If an employee is promoted into a position that is ineligible for certification pay, the employee will cease receiving incentive pay on the effective date of promotion.

Eligible Associate's, Bachelor's, or Master's degrees are those in a field directly related to the employee's current job.

6.04 Record Keeping

Each Department is responsible for maintaining up to-date records of their employees' certificates and licenses; to keep the Human Resources Department updated on any changes in status to either an employee, as it pertains to certification pay, or to licenses and certifications; and to notify the Human Resources Department when an employee is no longer eligible to receive certification pay.

6.05 Request Procedures

A. Certification Pay

Requests for certification pay must be approved by a Department Head, and be presented to the Human Resources Department through an inter-office memorandum, which shall include:

1. Employee's name;
2. Name of the certificate(s) or license(s);
3. A copy of all applicable and qualifying certificates and licenses; and

4. Effective date for certification to begin will be the 1st month following completion.

B. Adding certificate(s) and license(s) to certification list

1. Additional qualifying certificates and licenses beyond the official Certification Pay Program schedule may be requested by a Department Head for consideration by the Human Resources Department through a memorandum during the annual budget process. All requests for adding to the list must meet with the final approval of the City Manager; with final approval of the City Council.

CERTIFICATION PAY SCHEDULES

Certificates and Licenses:

All City Departments

- \$25 per month for each eligible certificate or license up to a maximum of \$400 \$200 per month, unless other specific amounts are stated in this Appendix. No stacking certifications.
- Bilingual Pay (Spanish and Vietnamese) \$75
 - After completing a certified written and verbal test with Human Resources.

College Degrees:

- Eligible employees in all City departments for a maximum of \$100 per month
- \$50 per month for Associate's Degree
- \$75 per month for Bachelor's Degree
- \$100 per month for Master's Degree

Maximum Allowances:

- \$200 per month maximum for all city departments.
- Employees receiving incentive pay prior to the effective date of these program revisions shall continue receiving their current incentive pay amount; however, they shall not exceed the maximum amounts indicated above with any additional qualifying licenses, certificates, or degrees.

Summary of Incentive Pay Eligibility Lists by Department

Animal Services

- Animal Control Officer Instructor Certification
- Advanced Animal Control Certification
- Administrative Animal Control Certification

Building Inspections

- ICC Certified Building Official (CBO)
- Permit Technician
- ICC Zoning Inspector
- ICC Residential Building Inspector
- ICC Commercial Building Inspector
- ICC Commercial Energy Inspector

- ICC Residential Electrical Inspector
- ICC Commercial Electrical Inspector
- ICC Commercial Energy Plans Examiner
- ICC Residential Mechanical Inspector
- ICC Commercial Mechanical Inspector
- ICC Residential Energy Inspector/Plans Examiner
- ICC Residential Plumbing Inspector
- ICC Commercial Plumbing Inspector
- IgCC Commercial Inspector
- IgCC Commercial Inspector with ASHRAE 189.1
- ICC Building Plans Examiner
- ICC Electrical Plans Examiner
- ICC Mechanical Plans Examiner
- ICC Plumbing Plans Examiner
- ICC Residential Plans Examiner
- ICC Green Building – Residential Examiner
- ICC IgCC Plans Examiner
- ICC IgCC Plans Examiner with ASHRAE 189.1

Construction Inspection

- Certificates for CI15 to CI20 equal to one certificate for purposes of this policy (CI15 Basic Qualifications, Duties Responsibilities for Inspectors, CI16 Contract Documents, Site Preparation and Job Control, CI17 Underground Utilities [Water, Sewer, and Storm Sewer], CI18 Specifications Writing and Legal Concerns, CI19 Structures and Structural Design Concepts, CI20 Contract Administration, Management and Scheduling)
- Certificates for IM11 to IM14 equal to one certificate for purposes of this policy (IM11 Basic Soil Technology, IM12 Basic Concrete Technology, IM13 Basic Asphalt Technology, IM14 Basic Leadership and Safety)
- Certified Professional Certified Administrative Professional - Organizations Management (CAP-OM) (through The International Association of Administrative Professionals)
- TNRCC Grade “C” Basic Wastewater Treatment, and either Water Utility Safety, or Utility Calculations, and Wastewater Collection or Wastewater Laboratory (3 total certificates equal to one certificate for purposes of this policy)
- TCEQ Grade “A” Water Certificate
- TCEQ Grade “B” Water Certificate
- TCEQ Grade “C” Water Certificate
- Back Flow Prevention Assembly Tester
- Certified Floodplain Manager (CFM)
- Certified Inspector of Sediment and Erosion Control (CISEC)

- Certified Plumbing Inspector
- Certified Public Infrastructure Inspector (CPII)
- Licensed Irrigator
- Registered Accessibility Specialist

Environmental Services

- Associate Environmental Professional
- Backflow Assembly Tester Certification
- Certified Code Enforcement Administrator
- Certified Code Enforcement Officer Examination
- Certified Environmental Health Technician
- Certified Environmental Auditor
- Certified Environmental Systems Manager
- Certified Food Safety Professional
- Certified Hazardous Materials Manager
- Certificate in Hazardous Materials Management
- ICC Property Maintenance and Housing Inspector
- Certified Professionals in Storm Water Quality
- Certified Site Evaluator
- Certified Zoning Enforcement Officer
- FDA Level I Sanitarian
- Hazardous Waste Site Personal Protection & Safety Training
- ICBO Building Inspector
- ICBO Combination Inspector
- ICBO Electrical Inspector
- ICBO Mechanical Inspector
- ICBO Plumbing Inspector
- Intermediate Code Enforcement Certification
- Plumbing Inspector's License
- Registered Hazardous Substance Professional
- Registered Hazardous Substance Specialist

Facilities Management

- HVAC Tech I License
- HVAC Tech II License
- HVAC Universal License
- Journeyman Electrician License
- Master Electrician License
- Structural Welding Certification (Vertical and Overhead Welding)
- Pesticide License

Financial Services

- Certified Cash Manager
- Certified Government Financial Manager
- Certified Government Finance Officer
- Certified Internal Auditor
- Certified Public Accountant

Fire Department

- TCFP Intermediate Firefighter Certification
- TCFP Advanced Firefighter Certification - \$50
- TCFP Master Firefighter Certification - \$75
- TDSHS Paramedic - \$75
- TDSHS Advanced or Intermediate EMT
- EMS Instructor/Educator
- TCOLE Peace Officer Certification
- Certified Child Passenger Safety Seat Technician
- Executive Fire Officers (EFO) Certification
- Swift Water Rescue Technician
- Rope Rescue Level I or higher
- Confined Space Technician
- Trench Rescue Technician
- Blue Card Incident Command Certification
- Command & Control
- Vehicle Rescue Operations/Technician Certification
- Youth Fire Setter Intervention Specialist
- Secondary disciplines include all certifications/licenses issued by the Texas Commission on Fire Protection (TCFP), Texas Department of State Health Services (TDSHS), and/or Texas Intrastate Fire Mutual Aid System (TIFMAS) or National Wildfire Coordinating Group (NWCG).

Human Resources

- Certified Benefits Professional (CBP)
- Certified Compensation Professional (CCP)
- Certified Administrative Professional (through the International Association of Administrative Professionals)
- Professional in Human Resources (PHR) Certification
- Senior Professional in Human Resources (SPHR) Certification

Information Technology

- Certified Computing Professional
- Certified Network Administrator
- Microsoft Certified Professional

- Microsoft Certified Systems Engineer
- Novel Certified Network Engineer
- Comp TIA A+
- Certified Government Chief Information Officer (CGCIO) Program

Municipal Court

- Licensed Court Interpreter
- Certified Municipal Court Clerk Level I
- Certified Municipal Court Clerk Level II
- Certified Municipal Court Clerk Level III

Library

- Small Library Management Program

Parks and Recreation Services

- Associate Park and Recreation Professional
- Backflow Prevention Certificate
- Certified Arborist (International Society of Arboriculture)
- Certified Master Gardener (Texas County Extension Service)
- Certified Park and Recreation Executive (CPRE)
- Certified Park and Recreation Professional
- Certified Playground Inspector
- Texas Commission on Environmental Quality (TCEQ) Licensed Irrigator, Irrigation Technician or Irrigation Inspector
- Licensed Herbicide Technician

Police Services

- TCOLE Intermediate Peace Officer License
- TCOLE Advanced Peace Officer License - \$50
- TCOLE Master Peace Officer License - \$75
- TCOLE Basic Instructor
- TCOLE Advance Instructor
- TCOLE Crime Prevention Specialist
- TCOLE Court Security Specialist
- TCOLE Cybercrime Investigator
- TCOLE Firearms Instructor
- TCOLE Mental Health Officer
- TCOLE Sexual Assault – Family Violence Investigator
- TCOLE SFST Instructor
- Advanced Crash Investigation Certificate
- Crash Reconstructionist Certificate
- IACP Drug Recognition Expert (DRE)

- Child Passenger Safety (CPS) Seat Technician
- LEMIT Leadership Command College (LCC)

Communications

- TCOLE Intermediate Telecommunicator License
- TCOLE Advanced Telecommunicator License - \$50
- TCOLE Master Telecommunicator License - \$75
- TCOLE Basic – Advanced Instructor Proficiency
- APCO Registered Public Safety Leader
- NENA Center Manager Program
- NENA Emergency Numbers Professional
- IAED ED-Q (Quality) Certification

Property and Evidence

- EMI Evidence Management Professional
- IAPE Property and Evidence Specialist Certification
- IAPE Property and Evidence Supervisor Certification
- TAPEIT – Intermediate Certification
- TAPEIT – Advanced Certification

Purchasing

- Accredited Purchasing Practitioner
- Certified Professional Public Buyer
- Certified Public Purchasing Officer
- Certified Purchasing Manager
- Certified Texas Purchaser
- Certified Texas Procurement Officer

Stormwater

- MS4 Stormwater Inspector (QSI)
- Construction Stormwater Inspector (QCSI)

City Manager’s Office

- Certified Public Manager
- Organizational Management Certification (through the International Association of Administrative Professionals)

City Secretary’s Office

- Certified Records Manager
- Texas Municipal Clerks Certification Program - Texas Registered Municipal Clerk

Utility Services (Operations and Line Maintenance)

- TCEQ Grade “A” Wastewater Operator’s Certificate
- TCEQ Grade “B” Wastewater Operator’s Certificate
- TCEQ Grade “C” Wastewater Operator’s Certificate
- TCEQ Grade “A” Water Certificate
- TCEQ Grade “B” Water Certificate
- TCEQ Grade “C” Water Certificate
- TWUA “A” Certified Laboratory Analyst
- TWUA “B” Certified Laboratory Analyst
- TWUA “C” Certified Laboratory Analyst
- TCEQ Class III Wastewater Collection Certificate
- TCEQ Class II Wastewater Collection Certificate
- TCEQ CSI (Customer Service Inspector)
- Texas CDL Type “A” Driver’s License - \$75

CITY OF LAKE WORTH

TITLE II ADMINISTRATIVE REGULATIONS

CHAPTER 7 INFORMATION TECHNOLOGY POLICIES AND PROCEDURES

7.01 General

The City of Lake Worth, through the IT department, provides computing resources and worldwide network access to designated employees for conducting the city's business. All employees of the city using computer and network resources are expected to be aware of the specific policies governing their use, and should act responsibly while using shared computing and network resources. There can be no expectation of privacy by any user in the use of the computer and network resources of the city. Use of the computer systems in a manner inconsistent with this policy is strictly prohibited. All messages, Internet material received, software, and the work product are the property of the City of Lake Worth and subject to the Texas Public Information Act with respect to inspection, disclosure, scheduled retention, and disposition. Specific usage policies and guidelines follow but may not be all-inclusive. Any employee found to be in violation of these policies is subject to disciplinary action as provided in the City of Lake Worth's Personnel & Administrative Regulations Manual, Title I (PARM I). All policies are subject to change, with or without notice, as the computing and network environments evolve.

7.02 Overview

This policy is the governing document for the acquisition and use of personal computer products for the City of Lake Worth. This document describes the policies and procedures used by the City of Lake Worth to manage workstation PCs, servers, phone system, ensure security, maintain the system's operation and integrity, facilitate user training, and provide fine-tuning and system recovery. This document shall be the guideline for standardization, security, internet/email usage, intranet, and the acquisition and use of PCs and accessories.

Through this policy, the city intends to enhance the benefits of Local Area Networking without threatening the integrity of data, while encouraging employees to use the computers as tools for performing their assigned duties. This policy attempts to maintain a balance between autonomy of user and central management of automated information processing. The department Heads are responsible for enforcement of these policies. Every employee of the City of Lake Worth who uses computer equipment must read and sign the city's IT policy.

7.03 IT Responsibilities

The IT department's primary responsibilities include:

- A. Manage and support the city's LAN/WAN network, workstations, servers, phone system and public safety computer systems.
- B. Monitor and direct the growth and performance of both hardware and software for all departments.
- C. Coordinate with various departments all matters of IT services and compile data for long and short-term projects as requested by the departments.
- D. Provide consultation to all departments regarding the planning of anticipated computer hardware and software purchases.
- E. Provide evaluation, recommendation, and implementation of emerging technology.
- F. Provide technical assistance on various software applications to the Mayor, Council and employees of the city.
- G. Develop and implement guidelines, policies and procedures for:
 - Hardware/software standardization
 - Security of city's computer resources
 - Virus/Ransomware protection
 - Financial application server access
 - Software licenses
 - Hardware/software installation

- Internet access and usage
- Email access and usage
- Audio/Visual usage in city facilities
- Backup procedures
- Disaster recovery planning
- Centralization of networking functions
- Other areas as directed by city Management

7.04 Computer Software

The City of Lake Worth's computer software policy has three purposes: (1) to protect all computer software copyrights; (2) to protect the city's network environment from viruses and other malicious software; and (3) to provide for standardization and compatibility for city use.

The city is committed to preventing copyright infringement. It is the policy of the City of Lake Worth to respect all computer software copyrights and to adhere to the terms of all software licenses to which the city is a party. The City of Lake Worth licenses the use of computer software from a variety of third parties. The software developer normally copyrights such software. The city is subject to all copyright laws pertaining to the use of copyrighted software except for backup or archival purposes. This restriction includes, but is not limited to, making unauthorized copies for use on more than one computer, unless expressly provided for in the licensing agreement. The restriction also includes the introduction of unlicensed copies of software into city owned equipment.

The city is committed to protecting the integrity of the City of Lake Worth's network environment from computer viruses. Viruses are programs intended to disrupt normal microcomputer operations. Such disruptions can extend to the contamination of data and/or the complete reformatting of a computer disk. Computer viruses can completely destroy equipment and data costing the city immeasurable expense. The effect of such loss is decreased productivity, lost information and files, and equipment failure. All

removable storage ie: flash drives/SD cards from any outside source must be scanned for viruses prior to use with any city computer equipment.

The City of Lake Worth is committed to standardization and compatibility of software and data used for city business. This provides consistency throughout the organization, which improves communication and speeds workflow. This increased efficiency leads to financial savings. All software not consistent with the City's standards will be phased out and not allowed for future use.

7.05 General Statements

A. Lake Worth Technology Advisory Group (LWTAG)

The Lake Worth Technology Advisory Group is comprised of representatives from various departments within the city. The Group meets periodically to discuss policies and procedures, needs and other aspects of the city's computer system regarding both hardware and software.

B. Software Library

The IT department shall maintain a register of all city of Lake Worth software and keep a library of software licenses, original media, and CD's. This library register shall contain the following:

1. Date of purchase
2. Vendor name
3. Location of each installation
4. Fixed asset number of the unit on which the software is installed
5. Name of the authorized user, or position/title of user
6. Existence and location of backup copies
7. Software product's serial number and original software media/CD's

C. Employee Responsibilities

1. All employees are expected to abide by the generally accepted rules of digital etiquette. These include, but are not limited to, the following:
 - a. Be polite and use appropriate language. The message should not be abusive to others. The use of vulgarities, swearing, or any other unsuitable language may be grounds for disciplinary action.
 - b. An employee should not reveal their personal address or telephone number or the addresses and/or telephone numbers of other employees.
 - c. An employee must not reveal their account password or allow another person to use the account. The password is confidential.
 - d. An employee may not log on as another user. An employee may use only their city-assigned Email address during the performance of job duties. No private or “ghost” accounts may be used, except by network administrators as part of their function.
 - e. Email received from citizens should be handled with the same seriousness as any other form of citizen contact. Employees should always maintain a professional decorum in their responses, reply promptly, and seek approval from supervisors where appropriate.
 - f. Respect copyright.
 - g. Clearly and accurately identify yourself in electronic communications.

- h. Multi-page “junk mail” documents from any source should not be re-transmitted.

2. Password Protection

All of the city’s servers and operating systems are protected by Password Authentication. Each user must choose a unique password with the following requirements:

- a. Not contain the user's account name or parts of the user's full name that exceed two consecutive characters
- b. Be at least eight characters in length
- c. Contain characters from three of the following four categories:
 - i. English uppercase characters (A through Z)
 - ii. English lowercase characters (a through z)
 - iii. Base 10 digits (0 through 9)
 - iv. Non-alphabetic characters (for example, !, \$, #, %)

Complexity requirements are enforced when passwords are changed or created.

This password should not be shared with any other employee or non-employee.

The city’s system will require you to change your password every 90 days. If a password is compromised, the user must change their password immediately or contact the IT Helpdesk for assistance. To change a password, press “Alt – Control – Delete”, and click the “Change Password” button. If a password is forgotten, it can be reset by the IT department. However, the IT staff cannot look up a user’s login password, and relay that information to the employee.

3. Education

department heads shall be responsible for ensuring their employees are adequately trained, for maintaining the education of their employees in accordance with this software policy, and for budgeting appropriate funds to ensure sufficient levels of user training knowledge with the standard PC software products. Employees are encouraged to use their software's on-line help menu to increase their expertise.

4. Duplication of Software

- a. City of Lake Worth employees may not duplicate any licensed software or related documentation purchased by the City of Lake Worth unless the city is expressly authorized to do so by agreement with the licensor.
- b. Intentional and willful unauthorized duplication of software may subject employees and/or the City of Lake Worth to both civil and/or criminal penalties under the United States Copyright Act.
- c. Intentional unauthorized duplication of software shall be considered an act of serious misconduct subjecting employees to disciplinary action.

5. Distribution of Software

- a. City of Lake Worth employees shall not give software to any persons outside the City of Lake Worth organization (i.e., clients, contractors, and customers), without the express written consent of the IT department.
- b. City of Lake Worth employees may use software on local area networks (LANS) or on assigned personal computers only in

accordance with applicable license agreements. Employees must have received the proper authorization to access said software.

6. Development of Software

- a. Software and work products (documents, databases, spreadsheets, etc.) developed by city employees for city projects on city-owned or personal equipment remain the property of the City of Lake Worth. Such software and/or work products are for the exclusive use of the City of Lake Worth or city contractors/consultants. Such software and/or work products cannot be sold or given to anyone, except in accordance with state law, without written consent from the user's department head and the IT Manager, or the city Manager.
- b. City of Lake Worth employees shall not use city equipment and/or software during or after city business hours for development of software not related to city projects, unless approved by the IT Manager and department head.

7. Use of Hardware and Software

City of Lake Worth employees should keep the use of equipment and/or software to official business. Still, the City of Lake Worth recognizes that it is occasionally necessary to use city equipment and/or software for personal reasons; however, it is essential that employees keep the amount of time spent to a minimum. All microcomputers and software combined represent a significant city asset. It is intended that this asset be used for city and related civic and professional activities, except as noted in this policy

8. Virus/Ransomware Protection

Computer viruses or ransomware can be introduced to a workstation, and eventually the entire network, without detection. Viruses can cause irreparable damage to the network, personal computers, files, and databases. Ransomware is a type of malicious software designed to block access to a computer system until a sum of money is paid. To prevent such a disaster, multi-level virus protection software is installed at the user and server levels. This software must be active at all times and updated periodically. Any user who deactivates this option on their PC is subject to disciplinary action up to and including termination of employment. The severity of this penalty should clearly underscore the seriousness of keeping the network virus free. At the first sign of a virus or ransomware, the employee shall immediately notify the IT department for a resolution.

9. Installation of Software

- a. The City of Lake Worth's computers are city assets and must be kept free of illegal software copies and viruses. Except as noted, only software acquired through city purchasing procedures may be used on city computers. Employees may not bring any software from other sources and load it on city computers unless specifically authorized by the IT department. If such use is authorized, the software and any associated problems which may arise as a result of installation or use, shall be the sole responsibility of the requesting department. All software used shall be subject to the same compatibility requirements as city owned software, and be virus-free.

- b. Mobile devices such as cell phones/tablets/ owned by an employee of the city may not be connected to the city's LAN (Local Area Network). If an employee wishes to use their personally owned mobile device at the office, the employee may only connect to the wireless guest network and must not be used for business purposes.
- c. city-owned software may not be taken home and loaded on an employee's computer. If an employee's responsibilities require regular use of a particular software product at home, the city shall purchase a separate software package, arrange for appropriate licensor, and record it as a city asset in the software register. The exceptions to this are: (1) if the employee already owns a legal copy of the necessary software, or (2) if the software license permits an off-site copy. Some software developers provide in their licensing agreements that home use is permitted under certain circumstances. Before taking any software home, an employee must obtain written approval from the IT Manager or their designee. In the event of that employee's termination, any such software must be returned to the IT Manager or their designee.

10. Standardized Document Storage

All digital documents and work shall be stored on the user's assigned computer. All documents, spreadsheets, presentations, databases, desktop publishing files, and all other user created files shall be stored in the departmental shared folders/drives. Microsoft OneDrive has replaced the "My Documents" folder and personal business documents may be stored there. User created files not stored in these folders may be lost when an employee's computer is

replaced. The IT department shall not be held responsible for lost files or information which is not stored in the user's "My Documents" folder or departmental shared folders/drives.

11. Personal Files and Data

City computer systems are to be primarily used for storing work related files and data. Users shall not store more than 20 personal files, pictures, videos, or any other data on their city computer. Exceeding this amount wastes valuable storage space, and consumes other network resources. Users found to be storing more than 20 personal files shall be contacted to remove the excess files within three business days. After three business days, the IT department shall delete personal files until no more than 20 remain on the system. Personal music files (mp3, wma, etc) may not be copied on to any city computer, but the user may listen to music on a CD through their computer or stream music through the internet.

12. Copyrighted Media

All copyrighted media must be properly licensed and owned by the employee. Downloading, listening, or viewing copyrighted media without the appropriate license is a violation of federal, state, and local statutes, and will not be tolerated on city equipment.

7.06 Software Acquisition

A. Purchasing

The IT department is responsible for making all commercial software purchases. An employee who wishes to purchase software must identify a specific need for the product and obtain the approval of their department head. If a user-specific software package is approved, the department

purchasing the software must also purchase the maintenance, updates and support. The user shall complete a purchase requisition and forward it for approval and processing to the IT department.

B. Budgeting

Computer software and any necessary training should be included in IT departmental budget. All software and accessories purchased for an existing computer shall be charged to the IT department budget. Any new software requests must be submitted prior to the budget planning deadline during the prior FY.

C. Approval

The IT department shall maintain a list of approved software products for the purpose of technical support and compatibility. Any requested software shall be compared to the list of approved software. If the software is not on the list, the user requesting such software shall be asked to justify the need. The IT department shall not provide support for software that is not authorized to be purchased. The IT staff shall remove any unapproved software found on any city computer system.

D. Installation

1. After registration requirements have been met, the IT department staff shall install the software. If available, manuals, tutorials, and other user materials shall be provided to the user. Once the software is installed, original media shall be kept in a safe storage area maintained by the IT department.
2. Vendors providing hardware with pre-installed software must also provide original media and documentation for each program loaded on each machine. Vendors installing or re-installing software as

required on a maintenance or repair problem, may download the latest installation files as needed.

3. Contractors with the City of Lake Worth using computer programs for completion of contracted projects must provide all applicable computer data in a form compatible with city hardware/software specifications.

E. Auditing

The IT department shall conduct a quarterly audit of all city computers to ensure that the city remains in compliance with all software licenses. Surprise or spot audits may be conducted at any time. During any of these audits, the city shall search computers for unauthorized software, eliminating any that may be found.

F. Upgrading

1. The use of PCs is so prevalent that standards must be maintained to ensure that word processing, spreadsheet, and database files are interchangeable throughout city departments. Such interchangeability is extremely critical to productivity and efficient usage of PC resources.
2. The IT department shall carefully consider upgrading to newer versions of standard software products. Productivity impact upon the requesting department and the city organization as a whole shall be a major part of this consideration. This consideration shall also include the cost of upgrading all department/city software, necessary hardware upgrading, and the IT department's ability to provide support.

3. Requests for upgrading software products, standard or nonstandard, must include information relating to increased capabilities and expected productivity gains, as well as any necessary training.
4. Old version media and documentation (if new documentation is provided) shall be returned to the IT department upon receipt of software upgrades. Old versions shall be disposed of when IT determines it is no longer necessary. Intentional retention of old versions of software for personal use is a direct violation of licensing agreements and shall subject employees to disciplinary action.

7.07 Webpage

The city's webpage is for government use only. It exists solely to promote the city and its services and an employee cannot use it for personal or commercial reasons. The formatting and layout of the city's webpage shall be approved by the City Manager and shall not be altered without prior approval of the City Manager.

Each department is responsible for submitting current information for the city's website. Information on departmental websites should be reviewed monthly to ensure that information is accurate and up-to-date. Each department should designate a representative responsible for submitting updated information to the website. The department web pages shall be in conformance with the city's approved formatting and layout.

7.08 Service

The Help Desk provides a single reporting point for problems that are attributed to the city's computer and phone systems. (Phones will be addressed in another section of this Policy.) Any technical problem should be reported to the Help Desk. Help Desk services are available business hours Monday through Friday. If the Help Desk staff cannot handle a problem immediately, it will be referred to the appropriate person in the IT department. The employee should state their name and extension, and a detailed,

concise description of the problem. For example, “Computer freezes when I hit the shift key,” rather than “Computer won’t work.” When possible, helpdesk tickets should be submitted by person experiencing the issue.

7.09 Hardware

The IT staff shall maintain a list of standardized equipment along with associated costs. The list shall be updated annually and made available to the Finance Department to be included in the budget preparation materials.

A. Purchasing

The IT department is responsible for making all hardware purchases. An employee who wishes to purchase hardware must identify a specific need for the product and obtain the approval of their department head. If user specific hardware is approved, the maintenance and support must be purchased at the same time. The user shall complete a purchase requisition and forward it for approval and processing to the IT department.

B. Budgeting

Computer hardware and any necessary training should be included in departmental budgets. All hardware and accessories purchased for an existing computer shall be charged to the IT department’s budget. Any new hardware requests must be submitted prior to the budget planning deadline during the prior FY.

C. Approval

The IT department shall maintain a list of approved hardware products for the purpose of technical support and compatibility. Any requested hardware shall be compared to the list of approved hardware. If the hardware is not on the list, the user requesting such hardware shall be asked to justify the

need. The IT department shall not deny the request for hardware that is not authorized to be purchased. The IT staff shall remove any unapproved hardware found attached to any city network.

D. Installation

1. After registration requirements, have been met, the IT department staff shall install the hardware. If available, manuals, tutorials, and other user materials shall be provided to the user. Once the hardware is installed, original media shall be kept in a safe storage area maintained by the IT department.
2. Contractors with the City of Lake Worth using computer programs for completion of contracted projects must provide all applicable computer data in a form compatible with city hardware specifications.

E. Auditing

The IT department shall conduct a semi-annual audit of all city computers to ensure that the city remains in compliance with all hardware standards. Surprise or spot audits may be conducted at any time. During any of these audits, the city shall search for unauthorized hardware attached to any computer.

F. Upgrading

1. Use of PCs is so prevalent that standards must be maintained to ensure that word processing, spreadsheet, and database files are interchangeable throughout city departments. Such interchangeability is extremely critical to productivity and efficient usage of PC resources.
2. The IT department shall carefully consider upgrading processor speed, memory, hard drive capacity, etc for each city computer.

Productivity impact upon the requesting department and the city organization as a whole shall be a major part of this consideration. This consideration shall also include the cost of upgrading all department/city hardware, and the IT department's ability to provide support.

3. Requests for upgrading hardware products, standard or nonstandard, must include information relating to increased capabilities and expected productivity gains, as well as any necessary training.
4. Old hardware shall be returned to the IT department upon receipt of hardware upgrades. Intentional retention of old hardware for personal use is prohibited and shall subject employees to disciplinary action.

G. Recycling

The IT department is committed to the proper disposal and recycling of computer hardware and accessories. All old computer hardware, city-owned cell phones, and any other equipment shall be returned to the IT department for disposal. As some computer equipment contains dangerous or environmentally hazardous material, users should not put any computer equipment or accessories in a trash bin, unless directed by the IT department.

7.10 Miscellaneous

A. Shareware

Shareware software is copyrighted software distributed freely through bulletin boards and on-line systems, usually with additional fees for documentation and upgrades. It is the policy of the City of Lake Worth to

pay (user department expense) shareware authors the fee(s) requested for use of their products. Registration of shareware products shall be handled the same way as commercial software products. These products are subject to the same policy guidelines as other software.

B. Games

Game software is an inappropriate use of city equipment and shall not be tolerated. Games discovered during audits shall be eliminated and the user may be subject to disciplinary action. The IT department shall report violations to the employee's supervisor. In addition, the IT department may act upon a suspected incident at the request of a supervisor.

7.11 Email/Internet

A. Purpose

The purpose of the Email/Internet system is to contribute to the efficient operation of city departments and departments by providing convenient communication. The primary use of Email/Internet is intended for official business within and among city employees, departments, and the public. Personal and/or other non-city related activity should be held to a minimum.

B. Privacy Issues

There can be no expectation of privacy in the content of any email/internet activity – business or personal – by employees. This activity is subject to disclosure during system maintenance, and to direct inspection by supervisory personnel. Correspondence sent by email is subject to review at any time by city officials. Email messages constitute official city

documents, and are subject to subpoena by courts and/or public information (open records) requests.

C. Privileges and Penalties

The use of the Internet is a privilege, not a right, and inappropriate use may result in a cancellation of those privileges. The city may deny, revoke, or suspend specific user access. Additionally, in the event the user incurs any unauthorized costs, fees or charges, said costs, fees or charges shall be the sole responsibility of the user and not the City of Lake Worth.

D. Email Forwarding

Employees may not forward all inbound email to an email account that is not a part of the city's internal network. Employees may forward specific or individual emails to outside email accounts, but the employee may not establish auto-forward rules that would result in the automatic forwarding of inbound emails.

E. Email/Internet Acceptable Uses

The following are considered acceptable uses for email and the internet during the normal work day:

1. Exchanging information directly related to work tasks.
2. Education facilitating performance of any task or project related to assigned duties.
3. Exchanging information for professional development, inquiry purposes, obtaining standards, finding statistics and analysis.
4. Announcement of new city regulations, ordinances, procedures, policies, special events and activities.
5. Conducting city business during normal working hours.

6. Using the Internet for professional improvement (e.g. working toward a degree or taking job-related courses) outside of normal working hours with prior approval from supervisor.
7. The City of Lake Worth recognizes that it is occasionally necessary to use email or the internet for personal reasons; however, it is essential that employees keep the amount of time spent on email and/or the internet to a minimum.

F. Email/Internet Non-Acceptable Uses

The following uses of email and the internet are not permitted:

1. Transmission of any material in violation of any U.S., state, and/or local regulation. This includes, but is not limited to, copyrighted material or material protected by trade secret.
2. Use for a personal business, advertisement and/or commercial activities such as purchasing goods or services, operating a business, illegally seizing business opportunities or soliciting money for personal gain.
3. Displaying, transmitting, retrieving or soliciting sexually oriented messages, cartoons, images or any pornographic material, inappropriate text files, or files dangerous to the integrity of the network.
4. Interception of network traffic for any purpose unless engaged in authorized network administration.
5. Vandalizing or harassing, which is defined as any malicious attempt to harm or destroy data of another user, web site, or other networks.
6. Sending, receiving, printing or otherwise disseminating threatening, intimidating, offensive or harassing statements or language including disparagement of others based on their race, national origin, gender, age, disability, religious or political beliefs.

7. Sending chain letters, gambling, or engaging in any other activity in violation of local, state, or federal laws.

G. Personal Internet/Email Usage

Employees, who are provided a computer to complete their assigned work duties, may use internet/email for personal use during their designated lunch periods (with the approval from the department head) or outside of normal working hours. Employees are prohibited from visiting certain types of sites or sending certain types of emails. These include, but are not limited to, the following:

1. Sites or emails containing pornographic material or which promote the distribution of pornographic images, literature, or material
2. Sites or emails which promote gambling, betting, or promote gambling activities
3. Sites or emails which distribute or sell digital music, movies, or videos
4. Sites or emails which sell products through auction or classified advertisements
5. Sites or emails which contain online games or distribute gaming materials, supplies, information, or programs
6. Sites or emails for dating or personal advertisements
7. Sites or emails for a personal business, advertisement and/or commercial activities such as purchasing goods or services, operating a business, illegally seizing business opportunities or soliciting money for personal gain.

7.12 Telephones

A. Proper Use of the Telephone

1. The use of telephones must be limited to official business. Still, the City of Lake Worth recognizes that it is occasionally necessary to

make or receive personal phone calls; however, it is essential that employees keep the number of personal calls and the amount of time spent on those calls to a minimum.

2. To ensure that phone calls are returned in a timely manner and that voice mail messages do not accumulate, messages should be retrieved daily.

B. Telephone Repair

1. If an employee's phone is in need of repair he is expected to do the following, before calling for service.
 - ✓ Check that the phone is plugged into the wall and also into the phone itself.
 - ✓ Be sure the receiver is plugged in tightly on the hand piece and on the desk set.
2. If an employee's phone does not work, contact the Help Desk. DO NOT CALL THE PHONE COMPANY.
3. An employee is not authorized to make any phone system changes. If an employee receives any calls concerning telephone equipment, service, or accessories, the caller is to be immediately referred to the IT department.

7.13 Definitions

The words and terms used in these IT Policies and Procedures shall have the meaning indicated as follows, unless the context in which the word is used clearly indicates otherwise:

Backup – The use of a hard drive, server, cloud service or other device to make a storage copy of data from one or more applications or operating systems.

Boot/Reboot – The process of starting or restarting the personal computer.

Hard Drive – Internal disk drive that stores personal computer operating system and application data.

Hardware – Any computer component or peripheral device.

Internet – A global network of computer connections for the purpose of sharing information.

Intranet – A local network which functions like the Internet, but is confined to the developer's interests.

Local Area Network (LAN) – Connection of computer equipment in a campus environment.

PC – Personal computer

Monitor – Video screen for personal computer.

Network – Connection of all computer devices through the use of a wiring topology.

Software – Programs and operating systems written to run on computer hardware.

Virus – A program written to deliberately interrupt normal business through the computer.

Web Page/Home Page – A page on the World Wide Web (WWW) that is specific to one entity which displays information pertaining to the developer's interests.

World Wide Web (WWW) – A global, interactive, dynamic, cross-platform, distributed, graphical hypertext information system.

CITY OF LAKE WORTH

TITLE II

ADMINISTRATIVE REGULATIONS

CHAPTER 8 INTERNAL SOCIAL MEDIA GUIDELINES AND PROCEDURES

8.01 Purpose

To address the ever-changing landscape of the Internet and the way residents communicate and obtain information online, City of Lake Worth departments may consider using social media tools to reach a broader audience. The City encourages the use of social media to further the goals of the City and the missions of its departments, where appropriate.

The City of Lake Worth has an overriding interest and expectation in deciding what is "spoken" on behalf of the City on social media sites. This policy establishes guidelines for the use of social media.

8.02 General Guidelines

- A. All City of Lake Worth social media sites are subject to approval by the City Manager.
- B. The City of Lake Worth website (www.lakeworthtx.org.) will remain the City's primary and predominant internet presence.
- C. The best, most appropriate City of Lake Worth uses of social media tools fall generally into two categories:
 - 1. As channels for disseminating time-sensitive information in a timely manner (example: emergency information).

2. As marketing/promotional channels which increase the City's ability to broadcast its messages to the widest possible audience.
- D. Wherever possible, content posted to the City of Lake Worth social media sites will also be available on the Lake Worth website.
- E. Wherever possible, content posted to the City of Lake Worth social media sites should contain links directing users back to the City's official websites for in-depth information, forms, documents or online services necessary to conduct business with the City of Lake Worth.
- F. As is the case for the City of Lake Worth website, departmental staff will be responsible for the content and upkeep of any social media sites their department may create.
- G. Wherever possible, all City of Lake Worth social media sites shall comply with all appropriate City policies and standards, including but not limited to:
 1. Employee PARM TITLE I Chapter 6, Rules of Conduct
 2. Employee PARM TITLE II Chapter 7, IT Policies and Procedures
- H. City of Lake Worth social media sites are subject to State of Texas public records laws. Any content maintained in a social media format that is related to City business, including a list of subscribers and posted communication, is a public record. The City Secretary's office is responsible for responding completely and accurately to any public records request for public records on social media. Content related to City business shall be maintained in an accessible format and so that it can be produced in response to a request. Wherever possible, such sites shall

clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure. Users shall be notified that public information requests must be directed to the City Secretary's Office.

- I. Users and visitors to social media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between the City and its residents. City of Lake Worth social media site articles and comments are subject to the Digital Media and Social Networking Sites Terms of Use Policy.
 1. These guidelines must be displayed to users or made available by hyperlink in the "About" section or account description. Any content removed based on these guidelines must be retained, including the time, date and identity of the poster when available.

- J. Social Media Account Naming Protocols: All official Lake Worth social media pages should be named with "Lake Worth" at the beginning, followed by the official name of the division or department that is creating the account. For example, "Lake Worth Parks and Recreation" or "Lake Worth Animal Services" reflect the correct naming practice. All general City of Lake Worth social media pages will be named "The City of Lake Worth" on each social media platform. The City Manager must approve the creation and naming of all social media pages prior to its creation. Any account created without the approval of City Manager is subject to deletion.

- K. Administration of City of Lake Worth's social media sites:
 1. The City Secretary will maintain a list of all City of Lake Worth social media sites, including login and password information. Departmental social media admins will request approval from the City Manager of new social media sites and inform same of any administrative changes to existing sites.

2. IT staff must be given administrator access to all approved social media sites, to have the ability immediately edit or remove content from social media sites.
3. Each department should designate at least three people to share social media responsibilities. Determine how often content will be posted (ideally, at least three times a week) and what constitutes appropriate content for the page. All information should be shared from the City of Lake Worth perspective, advertising city news and events relevant to the page. All posts should reflect proper spelling, grammar, and accurately reflect the information that is being relayed in a clear and concise manner.
4. Social listening, or media monitoring, is essential to remaining relevant to stakeholders. Social Media admins are encouraged to search the web and the social space to discover what is being said about their organization or division as well as other topics of interest for stakeholders. By adapting this information to the department or division, administrators help stay relevant and engaging to stakeholders. For example, is a certain book flying off of bookstore shelves? It would be a good idea for the Lake Worth Public Library to create a social media post about how many copies they have available and how they can be obtained for free.
5. The City of Lake Worth encourages resident engagement on all social media pages. When creating or maintaining a social media site, please ensure policies and expectations are in place among all administrators. This includes how a page is monitored, how questions are responded to, and how frequently. Outside of weekends and holidays, all questions should be responded to within 24 hours, if possible. Questions should be answered by the site the question was posted to. For example, if someone wants to know if a certain dog is still available for adoption, Animal Services personnel

should respond utilizing the Animal Services page, not as the staff member's personal social media account.

6. All social media administrators should be familiar with the Digital Media and Social Networking Sites Terms of Use Policy. If a user's comment violates this policy, delete the comment. If a user continually violates it, please ban the user from the page.

8.03 OFFICIAL CITY OF LAKE WORTH SOCIAL MEDIA SITES

The following social media sites have been approved for use by the City of Lake Worth. Please note, any site not included in this list is not an official City of Lake Worth social media site and is not maintained or monitored by City of Lake Worth personnel. For specific social media platform guidelines, please see Appendices A and B.

Facebook:

- [City of Lake Worth](#)
- [Lake Worth Police Department](#)
- [Lake Worth Fire Department](#)
- [Lake Worth Animal Services](#)
- [Lake Worth Public Library](#)
- [Lake Worth Senior Center](#)

Twitter:

- @CityofLWTX

YouTube:

- None

Instagram:

- None

APPENDIX A

City of Lake Worth Facebook Standard

Purpose: Facebook is a social networking site. Municipalities and other governmental agencies are using Facebook as an important communication tool to promote activities, programs, projects, and events to stakeholders while also increasing traffic on the City's website, www.lakeworthtx.org. These standards should be used in conjunction with the City's blogging policy and social media use policy. As Facebook evolves, these standards will be updated as necessary.

Establishing a Page: When a department determines it has a need for a Facebook page which cannot be met using existing official City Facebook pages, department staff will need to submit a request to the City Manager. Applications are not to be added to a City Facebook site without approval.

Any official City Facebook site should be created within the 'Pages' portion of the social media site and not as a Facebook "Group". Facebook Pages' offers distinct advantages including greater visibility, customization, and analytics. When creating the Page follow these guidelines:

- For 'type' description, choose 'government.'
- Incorporate the City or Departmental (LWPD or LWFD) logo on the cover photo.
- The option for users to comment on posts should be activated.
- Each department has the option to consider if users have the opportunity to send direct messages within the page.

- After receiving approval from the City Manager regarding the official page name, departments will complete the Page Info section as fully as possible.

Including, but not limited to:

- The description of the page should read: The official Facebook page of the Lake Worth (insert department name).
 - A link to www.lakeworthtx.org. will be included on the Website section.
 - Other department and project pages should be page favorites of the other official City of Lake Worth Facebook pages. The main City of Lake Worth Facebook page should also “favorite” all official community support organizations.
- Designate at least two (2) page administrators within the department.
- Facebook Page administrators should only respond to questions regarding their department on the department page. The City Manager or City Secretary responds to questions on the official City of Lake Worth Facebook page.
 - Facebook Page admins should always utilize proper grammar and standard AP style, while avoiding jargon and abbreviations. Facebook is more casual than most other communication tools but still represents the City of Lake Worth at all times.
 - Avoid using applications. Common applications can allow users to stream video and music, post photos, and view and subscribe to RSS feeds. While some may be useful to the page's mission, they can cause clutter and security risks. An application should not be used unless it serves a business purpose, adds to the user experience, or comes from a trusted source. An application may be removed at any time if there is significant reason to think it is causing a security breach or spreading viruses.

APPENDIX B

City of Lake Worth Twitter Standard

Purpose: Twitter is a micro blogging tool that allows account holders to tweet up to 140 characters of information to followers. By procuring and maintaining Twitter accounts, City of Lake Worth departments will communicate information directly to its Twitter followers, alerting them to news and directing them to www.lakeworthtx.org for more information. These standards should be used in conjunction with the City of Lake Worth's Internal Social Media Guidelines and Procedures.

Content: Department personnel shall maintain their department's Twitter account. Each department will have only one Twitter account, unless otherwise approved by the City Manager. Account information, including usernames and passwords, shall be approved and provided to the IT department.

The department's Twitter bio should read, "The official Twitter feed of the Lake Worth [Department]."

Twitter usernames shall incorporate "Lake Worth" into the username.

Twitter accounts shall serve three primary purposes:

- Get emergency information out quickly
- Promote City-sponsored events
- Refer followers to content hosted at www.lakeworthtx.org

Information posted on Twitter shall conform to the policies and procedures of the department posting the information. Tweets shall be relevant, timely and informative.

Twitter content shall mirror information presented on the relevant City of Lake Worth Facebook page, website, and other communication tool. Personnel shall ensure that information is posted correctly the first time. If a tweet has an error in it, it should be deleted in a timely manner.

Responding: When appropriate, departmental social media admins shall be responsive to those constituents who communicate via Twitter's @reply or direct message functions. Communication with followers will be timely and consistent with existing protocols in the Internal Social Media Guidelines and Standards.

TITLE II
ADMINISTRATIVE REGULATIONS

CHAPTER 9 PURCHASING POLICY

9.01 Purpose

The purpose of the Purchasing Policy is to provide the City with the necessary parameters for purchasing goods and services under applicable state statutes. More specifically, the purposes are:

- A. to simplify and clarify the laws governing purchases made by the City;
- B. to permit the continued development of purchasing policies and practices;
- C. to provide consistency in the purchasing practices of the City with regard to pertinent purchasing laws;
- D. to increase public confidence in government purchasing;
- E. to ensure the fair and equitable treatment of all persons who participate in the purchasing process;
- F. to provide increased economy and efficiency in purchasing activities by avoiding unnecessary, unwarranted, and duplicative purchases;
- G. to foster free and open competition;
- H. to provide safeguards for the maintenance of a purchasing system of quality and integrity; and
- I. to ensure that full accountability is available and given for all purchases.

9.02 Organizational Responsibilities

- A. City Council

1. Considers for award all contracts for goods or services to which the competitive sealed bidding requirement applies.
2. Considers all purchases and written contracts exceeding \$15,000.
3. Adopts rules for electronic receipt of bids or proposals.
4. Approves the alternative bidding method to be used for the construction of a facility, as described by Texas Government Code §2269.056, after determining it to be a better value than competitive bidding.
5. Approves the competitive sealed proposal method to be used for the purchase of goods and services, after determining it to be a better value than competitive bidding, or delegates authority to approve the competitive sealed proposal method as stated above, to a designated representative.
6. Additional consideration may be sought under Texas Government Code 2269.055 Criteria to Consider.

B. City Manager

1. Approves change orders up to \$15,000 (Need ordinance).
2. Approves contracts not to exceed \$15,000 (Need ordinance).

C. City Department Heads

Shall have authority, and may delegate this authority (in whole or in part) in writing to one or more managers or supervisors within their department, to approve requisitions up to \$5,000 and be responsible for:

1. compliance with existing purchasing policies and procedures;
2. reviewing and approving proposed purchasing actions to avoid unnecessary or duplicative purchases;

3. ensuring that the item to be purchased has monies available in the budget;
4. determining whether a contract exists for the item to be purchased;
5. verifying that the items received are sufficient and in good condition and authorize payment of the invoice; and
6. ensuring that all paperwork is forwarded to the purchasing and finance offices for recordation and payment.

D. Finance Department

Shall be responsible for:

1. developing and administering the City's purchasing policy and procedures;
2. managing the City's purchasing program to include compliance with all statutory and internal policies;
3. developing and maintaining a purchasing procedures manual;
4. determining the allowable methods of procurement, subject to legal review and determination as necessary;
5. administering the City's procurement card program;
6. maintaining requisition approval paths in the financial system;
7. processing purchasing requests;
8. identification, solicitation, and selection of vendors or contractors;
9. executing purchase orders;
10. monitoring the terms and conditions of purchases;
11. ensuring complete and accurate documentation of all purchases;
12. disposing of surplus and obsolete property; and
13. maintaining all purchasing files and records.

9.03 Ethics

A. Standard of Conduct

No officer, employee or agent of the City shall participate in the negotiation, selection, discussion, award, or administration of a contract or procurement supported by public funds if: 1) that individual has a substantial interest in a person or entity, as defined by Chapter 171 of the Texas Local Government Code, that is the subject of the contract or procurement; or 2) a conflict of interest. An officer, employee or agent of the City shall at all times avoid the appearance of impropriety.

A conflict arises when a City employee, officer or agent, or any relative thereof, a partner or a person or an organization that employs or may employ in the near future any of these individuals, has a financial or other interest in any entity that may be considered for the award.

B. Course of Conduct in the Event of a Conflict or Substantial Interest

In the event of a conflict of interest or substantial interest, as set forth in subpart A, the affected officer, employee or agent must adhere to the following procedures:

1. sign a declaration of possible conflict of interest or affidavit of a substantial interest;
2. if applicable, abstain from any participation in any procurement action:
 - a. where the officer, employee or agent directly represents an organization or may receive an economic benefit;

- b. where the officer, employee or agent is in direct competition with a proposal or bid which would provide a direct financial benefit; or
 - c. as required by Chapter 171 of the Texas Local Government Code.
- 3. abstain from participating in the procurement process, which includes, but is not limited to, discussions, lobbying, rating, scoring, recommending, explaining or assisting in the design or approval of the procurement process or the award of the contract:
 - a. on contracts with the organization he/she represents or from which he/she receives an economic benefit;
 - b. on contracts with organizations in which a relative might realize an economic benefit; or
 - c. as required by Chapter 171 of the Texas Local Government Code.

C. Violations and Remedies

Violations of policy may constitute misconduct, subjecting the violator to any and all penalties prescribed by state law.

Penalties, sanctions, or other disciplinary actions, to the extent permitted by state or local law, rules or regulations, shall be imposed for violations of the code of conduct/conflict of interest standards, by City officer, employees or agents or by persons, contractors or their agents, when the procurement involves state or federal programs and/or funds.

Appropriate sanctions, penalties or disciplinary actions shall be applied for violations. Violations of state or federal law shall be referred to the proper authority having jurisdiction over same.

9.04 Requisition Requirements

Purchasing requisitions are required for all procurements in excess of \$3,000, unless otherwise exempt as indicated in the Exemptions section below. Requisitions may be submitted for purchases less than \$3,000, but are not required. Requisitions shall be submitted to the Finance Department for processing with all supporting documentation attached.

A. Exemptions

Items that do not have to be submitted on a requisition and can be paid with a procurement card, or by presenting an invoice that can be paid by check, or approved for payment in the manner prescribed by the Finance Department are:

- a. maintenance fees paid on an annual or other periodic basis
- b. event catering fees
- c. election fees
- d. insurance premiums
- e. membership or professional association dues and fees
- f. periodicals
- g. postage
- h. registration fees
- i. regulatory fees
- j. subscriptions
- k. travel expenses

- l. training
- m. professional services
- n. utilities
- o. other fees as approved by the Finance Department

B. Emergent Requisition or Purchase

In order to qualify as an emergent requisition or purchase, one of the following conditions must exist, as identified in Chapter 252 of the Texas Local Government Code, as amended:

- a. a purchase necessary because of a public calamity that requires the purchase of goods or services to relieve the necessity of the municipality's residents, or to preserve the property of the municipality;
- b. a purchase necessary to preserve or protect the public health or safety of the municipality's residents; or
- c. a purchase necessary because of unforeseen damage to public machinery, equipment, or other property.

If a condition qualifies as an emergency purchase, the emergency requisition process shall be followed and authorized by the City Manager.

C. Requisition Processing

Upon receipt of a requisition, the Finance Department shall:

- a. check the requisition for completeness, to include verification that all supporting documentation is attached;

- b. if applicable, verify compliance with State of Texas Historically Underutilized Business (HUB) law, as identified in Chapter 252 of the Texas Local Government Code, as amended, and with internal policies and procedures;
- c. verify pricing for accuracy;
- d. verify contract provisions, if purchasing goods or services from an existing contract; and
- e. prepare a purchase order after approvals from requesting department.

9.05 Purchasing Thresholds

A. Purchases \$3,000 and under

Competitive quotes are not required for purchases under \$3,000, but may be obtained for any purchase. Procurement cards should be utilized for these purchases when possible.

B. Purchases Over \$3,000 and up to \$15,000

Competitive written quotes should be solicited from an adequate number of vendors, preferably three, to ensure competition, including at least two Historically Underutilized Businesses (HUBs), if available, as required in Chapter 252 of the Texas Local Government Code, as amended. HUBs should be contacted on a rotating basis, based on information provided by the comptroller. If the list fails to identify a HUB in the county, the City is exempt from this requirement. All purchases within this dollar threshold will be processed through the Purchasing Manager and/or Finance Department, except for exempt purchases as defined in Section 9.04 A.

Use of procurement cards should be utilized for these purchases when possible.

C. Purchased Over \$15,000 and up to \$50,000

Includes Section 9.05 (B) and adds approval by City Council. Removes Section 9.04 (A) exempt purchases.

D. Purchases Over \$50,000

Unless otherwise specified by law, all purchases in excess of \$50,000 shall be awarded by competitive bidding or reverse auction procedures, pursuant to current state law.

The City may not split purchases to circumvent the competitive requirements or the \$50,000 limit. Split purchases are defined as follows:

- a. Component Purchases: Purchases of the component parts of an item that in normal purchasing practices would be purchased in one purchase.
- b. Separate Purchases: Purchases made separately of items that in normal purchasing practices would be purchased in one purchase.
- c. Sequential Purchases: Purchases made over a period, of items that in normal purchasing practices would be purchased in one purchase

9.06 Methods of Procurement

- A. The City Manager will determine the allowable methods of procurement, based on the purchasing threshold as identified in Section 9.05, and the nature of goods or services required. The methods of procurement utilized by the City are as follows:
1. Competitive Sealed Bids (CSB)/Request for Bids (RFB)
 2. Competitive Sealed Proposals (CSP)
 3. Request for Proposals (RFP)
 4. Request for Statements of Qualifications (SOQ)
 5. Request for Quotes (RFQ)
- B. Exemptions from the methods of procurement listed in Section 9.06 A, as identified in Chapter 252 of the Texas Local Government Code as amended, include but are not limited to the types of purchases listed below:
1. Emergency Purchases: An emergency purchase that qualifies under one of the conditions defined in Section 9.04 B.
 2. Personal Services: Services involving the personal, intellectual or manual labor of an individual; a service performed personally by a particular individual for the benefit of another.
 3. Professional Services: Services performed within the scope of practice (or provided in connection with the employment of a licensed person in the areas of practice) of accounting, architecture, landscape architecture, land surveying, medicine, optometry, professional engineering, real estate appraising or professional nursing. Methods for procuring these services are set forth in the

Texas Government Code, Chapter 2254, also known as the Professional Services Procurement Act.

4. Planning Services: Services primarily intended to guide governmental policy to ensure the orderly and coordinated development of land uses.
5. Consulting Services: Service of studying or advising the City under a non-employee/employer type contract.
6. Sole Source Purchases: The item is available from only a single source because of patents, copyrights, secret processes or natural monopolies; films, manuscripts, or rare books; electricity, gas, water and other utility services; captive replacement parts or components for equipment.
7. Cooperative Purchases: Supplies, equipment, or services purchased through an approved cooperative purchasing program which meets all applicable laws and regulations.
8. Personal Property: Property sold a) at an auction by a state licensed auctioneer; b) at a going out of business sale held in compliance with Subchapter F, Chapter 17, Business & Commerce Code; c) by a political subdivision of this state, a state agency of this state, or an entity of the federal government; or d) under an interlocal contract for cooperative purchasing administered by a regional planning commission established under Chapter 391, Texas Local Government Code.
9. Retail Sale: Goods purchased for subsequent retail sale by the City.
10. Advertising: Advertisements, other than legal notices.

9.07 Procurement Card Program

The procurement card (p-card) program is a payment mechanism designed to reduce the administrative costs associated with processing purchases. The p-

card program is not intended to avoid or bypass appropriate purchasing or payment procedures. The intent of the p-card program is to complement the existing processes available.

A. Obtaining Procurement Cards

P-cards will not be issued to cardholders until each cardholder:

1. has received program education, hand-outs; and
2. has signed the Cardholder Agreement confirming receipt of the p-card, understanding of agreement, and acknowledgment that improper use of the p-card may result in disciplinary action, up to and including termination of employment.

B. Cardholder Limits and Commodity Restrictions

Monthly dollar limits and commodity restrictions will be assigned to all City p-cards. Some restrictions will apply to the entire program, such as cash advances, alcohol, cigar/tobacco products, and casinos/gambling facilities, while others are determined based upon the cardholder's job position and responsibilities.

The Purchasing Manager will assign one of the authorization levels listed below to each p-card. Variations must be approved in advance by the City Manager. This is not meant to be an all-inclusive list, and the City reserves the right to impose other limitations and restrictions.

1. City Manager/ACM: \$10,000
2. Department Heads: \$5,000
3. Directors/Coordinators: \$3,000
4. All others: \$500

*Temporary increases may be authorized with City Managers approval.

C. Purchasing Manager/Cardholder Responsibilities

The Purchasing Manager is responsible for the overall administration of the City's Procurement Card Program including the following:

1. implementing temporary increases to card limits after Department Head request.
2. removing temporary increases after close of the corresponding billing cycle.
3. reviewing monthly statements and investigating any suspicious transactions.

P-cards will be assigned to individual cardholders and should not be shared. Although the cardholder's name is printed on the card, the card is issued to the City of Lake Worth and will have no impact on the cardholder's personal credit. However, City funds are committed each time the p-card is used, and each individual cardholder is responsible for all charges made to their p-card. Therefore, by participating in the p-card program, all cardholders are responsible for the following:

1. determining if the transaction is an acceptable use of the p-card, and if the total expenditure, including delivery or freight charges, is within the cardholder's spending limit;
2. requesting Department Head approval for temporary increases and e-mailing request to Purchasing Manager for consideration and action and submitting approval with expense report;
3. ensuring p-card is utilized for City business only;
4. ensuring that the City is not charged sales tax;

5. for business meal receipts, details indicating the name(s) of the person and business purpose should be submitted (an itemized receipt is preferred);
6. completing transaction review and coding in the p-card system, and submitting ~~weekly~~ billing cycle reports to Accounts Payable within the time frame requested;
7. obtaining a supervisor's signature on the monthly expense report (note—Assistant City Manager/CFO and City Secretary expense reports shall be approved by the City Manager; Mayor, City Council, and City Manager expense reports shall be approved by the Assistant City Manager/CFO);
8. maintaining p-card in a safe and secure location; and
9. immediately informing the bank, at the phone number indicated on the p-card, and the Purchasing Manager of lost or stolen p-cards, or of any fraudulent charges.

D. Violations and Remedies

Violations to the p-card program may result in disciplinary action, up to and including termination of employment. Three missing/illegible receipts in a calendar quarter (e.g. Jan-Mar, Apr-June, etc.) may constitute a violation under this section.

At a minimum, confirmed violations to the p-card program may result in the following remedies:

1. First Offense: Written warning of infraction.
2. Second Offense: P-card privileges suspended for 30 days, and cardholder will surrender p-card to the Purchasing Manager for the duration of suspension period.

3. Third Offense: P-card privileges suspended permanently. Cardholder will surrender p-card to the Purchasing Manager.

9.08 Receipt of Goods/Services

A. Inspection

Upon receipt of goods or services, it is the department's responsibility to ensure that the order is complete as to quality and quantity, and to report any discrepancies.

If the shipment is complete and undamaged, the packing slip or delivery ticket should be signed and retained until the invoice for payment is received.

Should the department receive only a partial shipment, or return part of a shipment due to damage or delivery of the wrong items, this must be noted on the packing slip or delivery ticket, and noted on the invoice in order to prevent improper payment.

B. Damages/Defects

Goods and services should be checked at the time of receipt to detect any damages or defects. This inspection should also include assuring that the material is in compliance with the specifications. When it is apparent that the extent of the damage causes the goods to be of little worth, they should not be accepted.

1. Visible Damage: One of the major reasons for inspection at the time of receipt is to detect any visible damage. It is important that all damage be completely described on the receiving paperwork.

2. Concealed Damage: Any evidence of concealed damage should be documented to support the filing of damage claims against the carrier. The carrier should be notified immediately, and a joint inspection should be scheduled with the carrier's representative.
3. Claims: If the shipment is "F.O.B. destination" the vendor is responsible for assisting with the settlement of the claim and for full replacement of the damaged items. Payment should be withheld until the claims are settled.

9.09 Disposal of Salvage/Surplus Property

The Purchasing Manager or designee shall be responsible for the disposal of salvage/surplus personal property. Personal property that has been deemed salvage or surplus may be disposed of by one the following methods, as deemed appropriate by the Purchasing Manager:

- A. sold at a public auction
- B. sold by soliciting competitive bids
- C. sold to or bartered with a political subdivision of this state, a state agency of this state, or an entity of the federal government
- D. sold in accordance with any other approved PARM policy
- E. traded-in on new property of the same type
- F. destroyed or placed in a trash depository
- G. donated after a written determination is made by the City Manager or designee that:
 1. the donation serves a legitimate public purpose of a benefit to the City of Lake Worth, and sufficient controls exist to ensure the donee will use the donated property for the determined purpose; or

2. the cost to store or maintain the property outweighs the value of the property; or
3. the value of the property is negligible

CITY OF LAKE WORTH

TITLE II ADMINISTRATIVE REGULATIONS

CHAPTER 10 FUEL CARD POLICY

10.01 Purpose

Fuel cards have proven to be a cost-effective method of obtaining fuel for City owned vehicles and equipment. Accountability and record keeping for fuel purchases remains a high priority for the City of Lake Worth. This policy shall provide information related to the purchasing of fuel, the steps involved, and any applicable record-keeping procedures.

10.02 Procedure

The procedure outlined below shall be followed to ensure consistency and continuity of fuel purchasing program.

1. Each employee must sign a Fuel Card Usage Agreement agreeing to the responsibilities and conditions of use. The employee shall be provided training related to this procedure to ensure consistency and understanding
2. The Purchasing Manager will review the Fuel Card Usage Agreement form and will notify each employee of their assigned PIN. The employee should document this PIN and secure it in a safe location to ensure program accountability.
3. Employees are not permitted to provide their PIN to any other person. The transference of a PIN to another person is considered fraudulent activity and may subject the employee to disciplinary action up to an including termination. This process helps to ensure program accountability.

10.03 Purchasing Process

1. Fuel cards shall be assigned to specific equipment including vehicle owned and maintained by the City. When appropriate, fuel cards shall stay with the assigned vehicle and/or equipment item, as deemed necessary by the Department Head.
2. Each City Department may be provided an additional card to be held by the Department Head when miscellaneous fuel needs are required, i.e., gas cans, minor equipment items, tools, generators, etc., The Department Head may request an additional fuel card by contacting the Purchasing Manager in writing.
3. The use of a fuel card for any other purchase is strictly prohibited. Unauthorized use of a fuel card may result in disciplinary action up to and including termination of employment. Additionally, employees will be held liable for the total dollar amount of unauthorized purchases, plus any administrative fees charged by the credit company.
4. It is the City's policy to seek the lowest pricing within the parameters of quality and delivery. When making a fuel card purchase, the employee should check as many sources of supply as reasonable to the situation to ensure best pricing, when feasible.
5. Employees are required to accurately input the vehicle mileage of the assigned unit at the time a fuel purchase is made. When fueling non-vehicle equipment items (i.e., fuel cans, etc.) XX shall be entered in place of the mileage. Every attempt should be made to accurately provide mileage when deemed appropriate. Again, this process helps to ensure program accountability.

10.04 Employee Record Keeping

1. Whenever fuel is purchased, a receipt shall be obtained as proof of purchase. Receipts shall be used to verify the purchases listed on the City's monthly account statement. Payments related to fuel purchases shall be processed by the Finance Department.
2. All receipts shall be stored in a secure area and maintained by the Department Head, or their designee. Receipts identifying proof of purchase shall be provided to the Purchasing Manager on a weekly basis or as outlined by the Finance Department immediately.

10.05 Payment of Fuel Card Purchases

1. The Purchasing Manager, or their designee, shall reconcile receipts with fuel card purchase reports to ensure accountability.
2. Purchasing will review the documents for correctness, remove any sales tax paid, charge the proper accounts, and process the statement for payment.

10.06 Employee Separation

Prior to separation from the City of Lake Worth, the employee shall surrender all remaining fuel card receipts to their designated Department Head. Upon receipt, the Department Head will follow steps outlined under 10.05 Employee Record Keeping.

TITLE II

ADMINISTRATIVE REGULATIONS

CHAPTER 12 FLOWER POLICY

12.01 Purpose

Upon certain occasions, the City feels it appropriate to send a floral arrangement in order to express sympathy in times of tragedy. Upon the death of a City employee or immediate family member of the City employee, the City will send a floral arrangement at the request of the employee's department. This policy has been created to provide consistency throughout the City.

12.02 Policy

- A. Appropriate Occasions
 1. Floral arrangements may be sent in situations where there has been a death of either a City employee or immediate family member of the City employee. Other occasions may also be designated as appropriate for sending floral arrangements at the City Manager's discretion.
 2. Immediate family member of a City employee is defined as a spouse, child, parent or grandparent of the City employee.
- B. Procedures
 1. Any request must be sent from the employee's department to the City Secretary's Office to order the floral arrangement.
 2. All orders and purchases of floral arrangements will be handled by the City Secretary's Office, on behalf of the Mayor, City Council, and City staff.
- C. Cost and Expenditures

1. The City's funding of each floral arrangement should not exceed \$150. This amount will be reviewed periodically and adjusted for inflation as needed, or it may be adjusted at the City Manager's discretion.
 2. Departments may not use departmental budgets to purchase floral arrangements; arrangements will be paid for out of the City Secretary's budget.
- D. This policy does not restrict individual employees from taking up personal collections to send floral arrangements or gifts; it only specifies the criteria for using City funds.

TITLE II ADMINISTRATIVE REGULATIONS

CHAPTER 13 EMPLOYEE RETIREMENT RECOGNITION POLICY

13.01 Purpose

The purpose of this policy is to establish a uniform procedure and policy for employee retirement recognition throughout the City.

13.02 Definitions

- A. Retiree – Person retiring.
- B. Retirement – Separation of employment with the City of Lake Worth any time after the employee is eligible for retirement under the Texas Municipal Retirement System (TMRS).
- C. Retirement Reception – Reception given in the retiree’s honor that is open to all employees and held at a City of Lake Worth facility. The Reception is not mandatory. The retiring employee makes the choice whether or not a reception will take place.

13.03 Requirements and Procedures

- A. To be eligible for the retirement reception, an employee must have ten (10) full years of continuous service with the City of Lake Worth and be eligible for retirement as defined by TMRS.
- B. An employee meeting the above requirements may receive a

retirement reception with the use of City funds not to exceed \$2,000 only for purchase of food, drinks, gift and supplies. This amount will be adjusted for inflation periodically.

- C. Additional gifts, luncheons, and parties given in honor of the employee, on an individual or departmental basis, will not be paid for by the department or City unless authorized by the City Manager.

TITLE II ADMINISTRATIVE REGULATIONS

CHAPTER 14 UNIFORM POLICY

14.01 Purpose

The purpose of the Uniform Policy is to establish the requisite parameters for the purchase of uniform items and services with City funds.

14.02 Policy

A. Uniform Practices

1. Each department will develop and maintain standard uniform practices to provide readily identifiable uniforms to designated employees of the City.
2. Each department will determine uniform components appropriate for their respective areas.
3. Departments must receive approval for the purchase of uniforms for their staff annually through the budget process.
4. Each department will determine the appropriate frequency to purchase uniform items and services to ensure that expenditures remain within budgetary limits.
5. Refer to Title I, Chapter 6.06 for additional information regarding the use of uniforms.

B. Procedures

1. Departments will work with the City's Finance Department to establish reasonable contract(s) with apparel vendor(s) for the purchase of uniform items and services.
2. All uniform items and services will be purchased through the established contracts.

C. Exceptions

1. Any exception to this policy must be requested in writing and approved by the City Manager.
2. Reimbursements for an exception approved by the City Manager for the purchase of uniform items or services will be paid at the contracted rate for same or similar items or services.

TITLE II
ADMINISTRATIVE REGULATIONS
CHAPTER 15 EMERGENCY NOTIFICATION SYSTEM –
ACTIVATION PROCEDURES

15.01 Purpose

In the event of an incident warranting notification of the public or employees, the City may utilize an Emergency Notification system. This policy provides employees with guidelines on when this system will be activated by authorized City staff, as warranted.

15.02 Applicability

This policy is effective immediately and is applicable to those City employees who are responsible for activation of the Emergency Notification System. The City currently uses the Code Red Emergency Notification System, which is operated by the Office of Emergency Management.

15.03 Policy

- A. Only requests from authorized personnel will prompt activation of the Emergency Notification System.
 - 1. Any department head or his designee may request the Office of Emergency Management to initiate a Code Red Notification for employees and/or citizens, if one or more of the criteria in Section 15.03 Paragraph C of this policy are met.
 - 2. It is the responsibility of each department to work with the Office of Emergency Management to maintain their respective personnel on this contact list, since this system will also be used to notify employees of a City closure during inclement weather.

- B. All other notifications should be done in accordance with the departmental policy of the employee requesting the activation of the system or in accordance with the PARM.

- C. The following are examples of incidents that may result in the activation of the Emergency Notification System.
 - 1. Localized or City-wide evacuations
 - 2. Emergency disaster related messages
 - 3. Automated weather alerts
 - 4. Road Closures
 - 5. Mosquito Spraying
 - 6. Disruption of water service to 25 or more customers for a period expected to exceed four (4) hours.

 - 7. City closure notification to employees and citizens during inclement weather (City closures shall only be authorized by the City Manager or his designee, please refer to Title II, Chapter 4, Inclement Weather policy).

 - 8. Other incidents deemed critical for the safety of citizens and the protection of life.

15.04 Emergency Notification Scripts

- A. Persons creating Emergency Notifications include the following:
 - 1. Date and time of call;
 - 2. Type of emergency;
 - 3. Area effected by emergency;
 - 3. Action that needs to be taken; and
 - 4. Instructions to get more information.

TITLE II
ADMINSTRATIVE REGULATIONS
CHAPTER 16 EMPLOYEE ASSISTANCE PROGRAM

16.01 Employee Assistance Program (EAP) & Services

The City of Lake Worth will provide counseling, resources, assistance and other support to employees and their dependents who may be experiencing on- or off-the-job personal difficulties that may adversely affect their work performance or productivity. This applies whether the problem is one of physical illness, mental or emotional distress, marital or family discord, alcoholism, drug use or abuse/addiction, legal matters, financial difficulties or other concerns. It is acknowledged that problems not directly related to an employee's job duties and responsibilities can have a negative effect on that person's job performance. This situation could persist over a period of time, either continually or intermittently. In those cases, it is the purpose of the EAP to provide counseling and assistance to help the employee resolve the problem.

The EAP is available to all regular full-time and part-time employees and their immediate families and dependents. Participants are eligible to participate in the EAP from hire date.

16.02 General

The purpose of the EAP is to assist employees to identify on or off-the-job personal or behavioral problems that are adversely impacting their work performance, productivity, or ability to identify and locate appropriate medical, emotional, physical, financial, legal or other appropriate resources; and to assist the employee (or dependent) in dealing with the problem in a constructive manner for a long-term positive solution to the problem.

In most cases, the employee will overcome such personal problems

independently and the impact on the job will be negligible. In other instances, normal supervisory assistance may serve either as motivation or guidance by which such problems can be resolved so that the employee's job performance will return to an acceptable level.

A. Referral

When an adverse behavioral problem or unusual job performance problem arises, the employee may be referred to the program by his/her supervisor. Employees may independently seek assistance without supervisory referral.

B. Confidentiality

Employees and/or dependents seeking assistance through the EAP are assured that reasonable efforts will be made to provide the services within strict principles of confidentiality. The official personnel record of any employee will not include information concerning an employee's personal or behavioral problem except as it might apply to specific behaviors that relate to job performance and/or disciplinary actions due to violations of the Town's policies, procedures, rules, etc. All EAP records will be kept under separate security arrangements in the Human Resources Department and separate from the employee's official personnel file. The Town will comply with all applicable federal, state, and local law regarding the release of records.

C. Use of Vacation, Sick Leave, and Other Leave Absence

An employee participating in the EAP may request the use of any accrued sick, vacation, or compensatory time to continue receiving pay and benefits while involved in a program. Employees who have insufficient accruals may request leave without pay. All

leave will run concurrently with the Family and Medical Leave Act regardless of the leave being paid or unpaid. Leave of absence without pay may be granted in accordance with established policy giving consideration to the nature of the request and the needs of the department/division and the Town.

D. Job Performance/Disciplinary Action

Participation in an EAP will not substitute for improved job performance, job productivity, or meeting established job standards defined by the department. Should an employee's performance remain at an unacceptable level or not improve within the time frames established by the supervisor, an employee may still be subject to disciplinary action up to and including termination.

E. Consideration for Other Employment Opportunities

The factor that an employee is participating in an EAP will not be used as a factor in a decision to deny a promotional opportunity. However, continued employment or promotional consideration will be dependent upon current satisfactory performance in the current position and the established qualification and selection criteria being used as the basis for a promotional position. Employees participating in an EAP may compete for open positions based upon their qualification for the position, without consideration, either favorable or unfavorable, as a result of involvement in the EAP.

16.03 Procedures and Guidelines for Using the Employee Assistance Program

- A. To request assistance, an employee, supervisor, or family/dependent member may telephone the EAP directly or visit the Town's Human Resources Division.

- B. Supervisors should use the EAP to assist and motivate the employee to take corrective action for an on or off-the-job personal problem that is affecting job performance or job productivity adversely. Since variations in job performance, absenteeism, or tardiness are more apparent than their causes, the role of the supervisor is to identify the specific job performance problem(s) only and not diagnose the personal problem(s) of the employee. It is very important for the supervisor to document specific behavior(s) the employee is demonstrating (i.e. difficulty in motor function, slurred speech, stumbling, glassy eyes, odor on breath, patterns of absenteeism or tardiness, specific job-related inability to meet established performance standards, etc.)

- C. An employee may request, accept or refuse services from the EAP. However, it must be clearly communicated to the employee that refusal to accept a supervisor directed referral to the EAP places the responsibility to correct any performance problem or other on-the-job related difficulty on the employee.

Employees who are given notice of poor job performance must bring their performance back to an acceptable standard, or they will be subject to disciplinary action for unsatisfactory performance, regardless of their level of involvement in the EAP.

16.04 Payment for Services

Employees requiring in-patient or out-patient substance abuse or other treatment are responsible for arranging for the payment of all costs associated with those activities. Some costs may be funded through available health insurance coverage.

TITLE II
ADMINISTRATIVE REGULATIONS
CHAPTER 17 LAKE WORTH SERVES PROGRAM

17.01 Purpose

Service is central to our culture in the City of Lake Worth. As local government employees, we serve every day in various capacities to ensure high-quality, dependable services to our citizens. In addition to their regular duties, some of our employees may seek opportunities outside of work to volunteer their time in the service of others within our community.

However, we recognize that many of our employees have demands on their time outside of work that prevent them from being able to volunteer. The intent of this policy is to remove this barrier and to give all employees equal opportunity to serve in meaningful, face-to-face ways within our community. Such service provides public benefit by helping citizens in need, strengthening ties between employees and the community, and increasing employee engagement.

17.02 Service Hours

A maximum of **40 paid service hours** are available annually to regular, full-time employees who have completed their introductory period as of October 1 of each fiscal year. Both non-exempt and exempt employees are encouraged to participate in this program.

Service hours do not roll over from year to year, and hours must be used within the fiscal year they are given. When employees leave the city, unused service hours will be returned to the City and employees will not receive a payout for this balance.

17.03 Qualifying Service Activities

Acceptable service opportunities should include significant “face-to-face” interaction between the employee and a member(s) of the community. Service opportunities must be city organized service events or activities facilitated by a 501(c)(3) non-profit charitable organization or the Lake Worth ISD and determined by the City Manager to be of public benefit pursuant to his/her authority granted by the City Council.

Service activities should take place in Tarrant County, specifically in Lake Worth, Azle, Saginaw, Fort Worth, Sansom Park, White Settlement or River Oaks or on a Lake Worth ISD campus. Activities involving political groups or causes do not qualify for use of Service Time.

Employees have the flexibility to select service opportunities that interest them and fit within the guidelines of qualifying activities. Employees who are unsure if their service idea will qualify for Service Time should contact Director of Library and Community Services. In addition, the Director of Library and Community Services will maintain a list of ideas for service activities for employees who need help finding a service.

17.04 Application Process

If the Sponsoring Organization for the service activity is on the pre-approved list, employees should submit their Service Time Application Form directly to their supervisor for approval. Once approved, the supervisor will email a copy of the fully executed application to the Director of Library and Community Services and to the employee.

If the Sponsoring Organization for the service activity is not on the pre-approved list, employees should submit their application to the Director of Library and Community Services no less than **five (5) working days** prior to the requested service activity. If approved, the application will be forwarded to the supervisor for final approval.

Supervisors are given discretion to deny applications during days or times that would interfere with normal operations or when approval would cause overtime work to become necessary for the applicant or others in their department. However, supervisors should make reasonable accommodations to allow for Service Time and encourage their employees to serve.

If the Director of Library and Community Services determines that the requested activity does not qualify for Service Time, the Director of Library and Community Services will indicate the denial on the application and return to the employee within two (2) business days of receipt.

If the supervisor denies the application, they must indicate the denial on the form, include a brief explanation for the denial, and email to the Director of Library and Community Services and the employee as soon as reasonably possible. Employees may

participate in service activities only after receiving a fully executed application indicating approval from the Director of Library and Community Services (if applicable) and the supervisor.

17.05 Tracking Service Time

Upon returning to work from the service activity, employees should record their time on their time sheet as “**LWServes**”. Service Time will be used to calculate the total number of weekly hours for non-exempt employees. Employees will only receive paid time at the normal rate for Service Time hours and will not be reimbursed for mileage, meals, travel or any other expenses.

17.06 Misuse of Service Time

Employees who provide false or misleading information on their application, or who use Service Time for any activity other than the service activity approved on their application, will be subject to appropriate disciplinary action, up to and including termination of employment.

17.07 Volunteer Opportunities – City Project Examples

1. Adopt a Park, Street or Median to Keep Lake Worth Beautiful
Enhance community pride by maintaining clean and attractive parks, green spaces, and roadways for residents and visitors to enjoy. Appropriate for individuals and groups alike.
2. Animal Care and Control
 - a. Dog Enrichment Program - provide enrichment (in the form of toys, treats, and more) to Lake Worth shelter pets. Enrichment is critically important to help pets stay mentally and physically stimulated while they are in the confinement of a shelter.
 - b. Play Yard Monitors - help dogs get much needed exercise and enrichment in play groups. These volunteers help ensure the play groups are safe and fun for every dog involved.
 - c. Greeters - help potential adopters find their way around the shelter and meet adoptable cats and dogs.

3. Litter Cleanup

This opportunity is available for individuals and groups who want to clean litter and have a positive impact on the community. We provide free supplies to anyone cleaning litter in a public space in Lake Worth.

4. Library Storytime and Crafts

Do you enjoy working with children? If so, sign-up to assist the library staff in preparing and conducting fun programs for children.

5. Seasonal Community Events

Assist in special seasonal events sponsored by the City of Lake Worth. Duties may include set up, greeting community members, working booths and / or facilitating activities. Great for busy volunteers who love to serve.

6. Senior Center Instructor

Have a skill you would like to share? The opportunities to teach a class to our seniors are endless: art, dance, crafts, exercise, or any other special talent.

17.08 Volunteer Opportunities – Non-Profit Charitable Organization Examples

1. Meals on Wheels of Tarrant County

- a. Meal Delivery - Deliver meals to people in need. Volunteers typically deliver meals one day per week, Monday-Friday between the hours of 10:30 a.m. and 1:30 p.m. Individual and group opportunities are available.

2. Friend-to-Friend

- a. You can develop a friendship with a homebound client who may have no other visitors. Best of all, you can do this on your own timeline.

3. Sixty and Better

- a. Sixty and better empowers older adults to live with purpose, independence, and dignity. Each week, volunteers contact an older adult to provide a friendly conversation via the telephone.

4. Community Link

- a. Community Link strives to alleviate hunger by providing food and personal care items to those in need in Northwest Tarrant County.

5. Catholic Charities

- a. Catholic Charities Fort Worth is a learning organization that ends poverty by creating solutions. They have a vast volunteer program that offers jobs to fit your talents, schedule, and preferences, and offer long-term, short-term, and special project positions.

6. Big Brothers Big Sisters Tarrant

Give the invaluable gift of your friendship and become a Big Brother, Big Sister, or Big Couple today.

**TITLE II
ADMINISTRATIVE REGULATIONS**

CHAPTER 18 ALTERNATE WORK SCHEDULE

18.01 Program

The city recognizes employees are most productive when they are able to successfully achieve a balance in their personal and professional lives and that one way to achieve this is to promote a program of flexible or alternate work scheduling. A flexible or alternate work schedule program has been developed to promote such productivity. Dependent upon the needs of the city and the employee, employees may be permitted to work an alternate schedule.

18.02 Purpose

- A. To develop work schedules, which will promote work production, and in turn, benefit the city as a whole.
- B. To allow the employee to balance work and personal pursuits, including education, recreational interest, and family time.
- C. To receive the merits of the Program. Such merits have been identified as increased cooperation and efficiency, better morale, decreased overtime, decline in sick leave and tardiness, and higher performance levels.
- D. To extend customer service hours, where feasible. The administrative business hours of the city will remain Monday through Friday, 8 a.m. to 5 p.m.
- E. To demonstrate the city's participation in an ozone reduction program through elimination of traffic pollution.
- F. To make reasonable accommodations for an employee who or whose family member has a serious health condition. Serious health condition, as defined by the Family Medical Leave Act, means an illness, injury, impairment, or physical or mental condition involving inpatient care or continuing treatment by a health care provider.

18.03 Definitions

Alternate Work Schedule. Restructuring the traditional work schedules so employees can combine personal and work responsibility more flexibly. To make the most of employee's time, various options of work schedules in the Programs are offered. They include:

- A. Flextime, or
- B. Compressed Work Week

Band Width. For the purposes of this Program, the earliest time non-exempt employees may arrive, e.g., 7 a.m. and the latest time they may leave; e.g., 7 p.m, or as defined by the department.

Compressed Work Schedule. A flexible schedule where a full work week is completed in fewer than five days by increasing the number of hours worked per day; e.g., four-day work week at ten hours per day.

Core Hours. For the purposes of this Program, the hours in a workday when all staff are needed; e.g., 10 a.m. to 3 p.m. or as defined by the department, when meetings are likely to be scheduled, customer contact is heaviest, etc. Due to the nature of the city's operations, the core hours may not apply to employees who work shifts.

Flextime Work Schedule. Permits flexibility in arrival and departure times. The time or hours are selected by the supervisor and the employee to complete a full work week of 40 hours.

18.04 Authority

- A. The City Manager shall have the authority to amend, modify or revoke the Program on an individual, division, department, or city-wide basis.
- B. The department head shall have the authority to approve or disapprove employee requests to participate in the Program on an individual, work unit, division, or department basis.
- C. The department head shall have the authority to schedule and determine

which employees shall have which days off and to amend, modify or revoke that schedule as appropriate or necessary.

18.05 Participation

- A. Participation in the Program is entirely voluntary and is available to only those who are deemed eligible by the department head.
- B. An employee may not appeal or grieve the denial or revocation of a schedule or participation in the Program by a department head.
- C. An employee may terminate participation in this Program at any time.
- D. Management has the right to remove the employee from the Program if the employee's performance declines, if the Program fails to benefit the city's needs or for policy violations.
- E. An opportunity to participate in the Program is offered only with the understanding that it is the responsibility of the employee to meet and adhere to all components and requirements, to include, but not limited to those listed herein.
 - 1. Employee understands that he/she is obligated to comply with all city rules, policies, practices, instructions, which apply to his/her job and any other specified agreements.
 - 2. Employee agrees that all tasks, duties, obligations, responsibilities, and conditions of employment shall not be changed by reason of participation in the Program.
 - 3. Employee who participates shall continue to accrue leave benefits.

18.06 Participant Selection Criteria

- A. Any employee with an identified, documented performance problem shall not be selected to participate in the Program.
- B. The supervisor will assess each request on a case-by-case basis, and will consider the following factors to determine if the employee shall be selected to participate.
 - 1. If there is a need for adequate supervision of the employee.
 - 2. Positive or negative effects of the flexible work schedule on the

fulfillment of the employee's responsibilities.

3. Positive or negative effects on customer service.
4. Positive or negative effects on the remainder of the department, division or office.
5. Positive or negative effects when working with contractors or clients.
6. Additional costs or savings to be incurred or realized.
7. Employee must have completed six months of employment with the city and be a full-time employee.
8. The ability of the employee to work independently and effectively with little or minimal supervision.
9. The employee's need for flexibility in work scheduling.
10. Consideration of the employee's performance indicators; within the last year, including, but not limited to, punctuality, attendance and quality and quantity of work performed.
11. Consideration of the impact on the office, counter assistance, telephone coverage, attendance at meetings, work load, City Council, board and commission deadlines, project deadlines and any other factors that contribute to the city's goal of providing the highest level of customer service will be considered.
12. Consideration of other relevant factors that may affect the effective and efficient operation of the city, i.e., knowledge requirements, contact requirements, reference material requirements, travel requirements, and information security requirements.

18.07 Request to Participate

- A. Short Term: When an employee wants to participate in the Program on a short term basis, not more than two weeks and within a pay period, a request to participate is made as follows:
 1. Submit a written request in the form of a memorandum to your immediate supervisor within one workday of the date your request is to be effective.
 2. The immediate supervisor shall submit a written response approving

or denying the request.

- B. Long Term: The employee who desires to participate in the Program on a long-term basis, a minimum of two weeks up to a maximum of 120 days, shall submit a written request according to the following guidelines:
 - 1. The employee shall submit the Request for Alternate Work Schedule form to the department head within 15 days of the effective date to change the work schedule. If a 15 day advance written request is not feasible due to an unforeseen medical or other emergency, the employee's request may still be considered for approval or denial by the department head upon evaluation of the factors surrounding the request.
 - 2. The department head shall provide a written approval or denial to the employee's request within 10 days of receipt of the completed Request For Alternate Work Schedule form.
 - 3. To continue for up to another 120 days, the employee shall submit another Request for Alternative Work Schedule form.
 - 4. All eligible employees may be allowed the opportunity to participate in the Program on a rotational basis with other eligible employees every 90 days.
- C. The Alternate Work Schedule Program is a management tool--not an employee right.
- D. Denial of participation in the Program is not appealable or grievable.

18.08 Work Tasks

- A. The employee shall meet with the supervisor to receive assignments and to review completed work as necessary or appropriate.
- B. The employee shall complete all assigned work according to work procedures mutually agreed upon by the employee and the supervisor.
- C. The employee's job performance will be evaluated on criteria determined by the supervisor.

18.09 Compressed Work Schedule

A compressed work week schedule allows the employee to work additional hours

each day in exchange for one day off. The employee shall complete a full work week of 40 hours.

- A. The employee shall work the Core Hours of 10 a.m. to 3 p.m., or as defined by the department.
- B. Compressed work schedules may have periodic adjustments, as needed, to achieve an optimal schedule suiting both the employee and the city.
- C. The Band Width or earliest time an employee may arrive is 7 a.m. and the latest time he/she may leave is 7 p.m., or as defined by the department.

18.10 Flextime Work Schedule

A flextime work schedule permits flexibility in arrival and departure times. The work hours are selected by the supervisor and the employee to complete a full work week of 40 hours.

- A. A flextime work schedule can be arranged in various ways to accommodate a work unit, division or department. When the department head establishes an alternate work schedule, A Request for Alternate Work Schedule form is not required.
- B. In lieu of receiving overtime pay in a work week, when a non-exempt employee physically works in excess of 8 hours a day, he may use those hours in excess of eight, and flex his work hours for the remainder of that work week (e.g., An employee works 10 hours on Monday, then uses the two hours worked in excess of the eight toward his workday on Tuesday to take off two hours.).

The following provisions apply in such cases:

1. When flexing hours in a work week, no Request for Alternate Work Schedule form is required. Prior supervisory approval is required.
2. In one-hour increments, up to eight hours per day may be accumulated as “credit” hours and subsequently used as time off in a work week.
3. Non-exempt employees shall flex hours within one work week. Hours can not be carried over from one work week to the next.

18.11 Exempt Employees

Exempt employees are expected to work whatever hours are necessary to accomplish required duties, tasks, and responsibilities. This often requires in excess of eight hours per day. To provide for employees to be more productive and to successfully achieve a balance in their personal and professional lives, a flexible work schedule will be permitted. The ability to flex one's work schedule is dependent upon the employee's workload and the impact on the city.

The exempt employee's alternate work schedule provisions are as follows:

- A. When an exempt employee physically works more than 8 hours a day, he/she may use those excess hours to flex his/her work hours within the same pay period. Hours may not carry over from one pay period to the next.
- B. No more than 8 consecutive hours shall be flexed in any given pay period.
- C. If additional leave is needed within a pay period, the employee shall use his/her accrued leave.
- D. Flex hours should not be recorded on time sheets.
- E. Such flextime work schedule changes shall be authorized in advance by the appropriate department head or immediate supervisor.

**REQUEST FOR
ALTERNATE WORK SCHEDULE**

This request is only required when participating in long term Alternate Work Schedule or Compressed Work Week. To allow for departmental scheduling changes, this form must be submitted at least 15 days prior to the effective date of the effective date for the work schedule change.

EMPLOYEE NAME: _____

JOB TITLE: _____ DEPARTMENT: _____

EMPLOYEE'S REQUEST

CURRENT SCHEDULE (Indicate your workdays and hours): _____

ALTERNATE SCHEDULE REQUESTED (Indicate workdays and hours requested):

EXPLANATION (Explain need for alternate work schedule):

Employee certifies that he has read and understands the provisions of the Alternate Work Scheduling Program.

Employee's Signature: _____

DEPARTMENT HEAD'S RESPONSE

Give detailed reason(s) for denial. Use additional paper, if needed. Response must be submitted within 10 days of receipt. _____

Department Head's Signature: _____

**CITY OF LAKE WORTH
PERSONNEL AND ADMINISTRATIVE REGULATIONS MANUAL**

**TITLE III
SAFETY REGULATIONS**

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CHAPTER 10 - 49 Reserved for Future Expansion

TITLE III

SAFETY REGULATIONS

CHAPTER 1 MANAGEMENT STATEMENT OF SAFETY POLICY

1.01 Safety Statement

The success of the City of Lake Worth depends upon our efficient use of resources to produce a high-quality product for the citizens of our community. Our most important resource is our employees. To protect this resource, we are committed to providing a safe workplace for all employees by establishing and maintaining an effective safety program. We consider safety and health to be a fundamental part of our organization's operations.

The responsibility for safety resides with each of us. We are each challenged to stay informed and to take responsibility for our own safety and the safety of our co-workers. To ensure the success of our safety process, we must all give our full participation and support to the safety policies and procedures that have been developed to protect us. Working safely and in accordance with established safety policies is an absolute requirement for all employees, supervisors and managers.

1.02 Management Safety Responsibilities

Management is responsible for providing a place of employment that is free from recognized hazards that could result in injuries or accidents. Since it is impossible for managers to personally observe all employee activities, management must assure that all supervisors are trained and are aware of their safety responsibilities. Other safety responsibilities for managers include:

- A. Provide leadership and direction concerning safety activities.
- B. Participate actively in the continuous evaluation of the safety program.
- C. Set goals concerning safety performance within your department.
- D. Review losses for potential trends on a regular basis.
- E. Enforce all safety rules.
- F. Participate in facility and work site audits.
- G. Participate and support all accident investigation activities.
- H. Review accident reports and recommend corrective actions.

TITLE III

SAFETY REGULATIONS

CHAPTER 2 GENERAL SAFETY

2.01 General Safety Rules

- A. Each employee is required to acknowledge and abide by the contents of this Safety Program.
- B. All accidents, no matter how minor, shall be reported immediately to your supervisor.
- C. All hazardous conditions, actions and/or practices shall be reported to your supervisor.
- D. Work areas, including the inside and outside of vehicles and buildings, shall be kept clean and orderly at all times.
- E. Employees shall only operate equipment/tools that they are trained and authorized to operate.
- F. Employees shall use all safety devices and personal protective equipment provided for their protection.
- G. Employees shall wear clothing and shoes suitable for the particular work they are doing.
- H. Employees shall use assisted lifting devices or obtain assistance from a coworker when lifting heavy objects.
- I. Guards shall never be removed except when authorized to make repairs or adjustments. Replace guard immediately upon completion of work.
- J. Before starting work on any machine or equipment that is out of service, employees shall render the equipment or machine inoperative and attach a lockout device to the equipment control.

2.02 Personal Protective Clothing & Equipment

- A. All employees shall wear clothing suitable for their particular type of work.
- B. Loose clothing shall not be worn while working around or near moving machinery or equipment.

- C. All department approved special protective clothing or protective devices shall be used by employees when departmental supervisors require their use.
- D. Clothing that is soiled by oil or chemicals should be avoided to prevent skin irritations.
- E. When work is performed in the vicinity of exposed energized parts of equipment, employees shall remove all exposed conductive articles, such as key or watch chains, rings, wrist watches or bands, if such articles increase the hazards associated with inadvertent contact with the energized parts.
- F. Rings or jewelry shall not be worn while climbing on or off structures or vehicles while performing any task where the ring might get caught under or snagged by a projecting item. In addition, rings and wristwatches with metal case and watchbands shall not be worn while working on or near energized equipment or lines.
- G. Department approved gloves shall be provided to and worn by all employees when work site operations could cause injury to the hands.
- H. Gloves and long sleeves shall be worn to protect hands and arms when handling cement, brush, sharp objects, hot materials, acids and other chemicals, or when there is a possible exposure to poison ivy.
- I. Department approved head protection shall be provided to and worn by employees when working in areas where possible danger or head injury exists from impact, falling or flying objects, or from electrical shock and burns.
- J. Employees shall wear department approved eye and face protection where the potential for injury exists. Eye protection shall be kept in a sanitary and usable condition and shall be replaced when it becomes warped, scratched, or pitted.
- K. Department approved hearing conservation devices shall be provided to and worn by all employees working in areas where a danger of noise exposure exceeds acceptable levels.
- L. Employees shall wear footwear suitable to the type of work being performed. Safety boots or shoes shall be worn when required. Wearing of sandals, thongs, loafers or similar footwear shall not be acceptable during working hours for

employees serving in labor, maintenance, construction, or inspection positions.

- M. Department approved life jackets or buoyant work vests shall be worn by all employees when working over or near water where the danger of drowning exists.
- N. Department approved respiratory protection shall be worn in areas where dangerous air contamination, chlorine, gases, vapors, fumes, dust, or other hazardous contaminants exist.
- O. Employees required to work in or near the roadway shall wear high visibility clothing, garments, or reflective vests.
- P. Department approved fall protection devices, such as harnesses, lanyards, etc., shall be used by all employees when working in an overhead position which may require use of both hands and when there is a danger of falling.

Protective clothing and equipment shall be used and maintained in accordance with manufacturer's recommendations.

2.03 Material Storage Safety

Bins and Shelves

- A. Material shall be stored in such a manner that it will be safe from damage. Special care must be taken to assure that stored material poses no hazard to anyone working around it. Only lightweight material should be stored on top shelves.
- B. Bins or shelves shall never be used as ladders.
- C. Materials shall not be stored on the floor, in front of shelving.

Stacking Material

When material is stacked all possible precautions must be taken to assure that it will remain stable. The lower level must be blocked or tied to prevent slipping. The height of a stack of material should remain within reasonable limits.

Flammable Material

- A. Under no circumstances shall flammable materials be stored in an area where heat or potential ignition sources may affect the stability of the material.

- B. All flammable materials shall be stored in a location that will not endanger life or property. Containers will be clearly and appropriately marked, in accordance with fire safety standards. In addition, storage facilities shall have a sign identifying the materials as “flammable”.
- C. Storage of open containers of flammable materials is prohibited. Container covers must be promptly replaced. Smoking will not be permitted inside any warehouse facility, or outside near flammable or combustible materials.
- D. Flammable liquids shall be used only for their designed purposes. Gasoline shall not be used for cleaning purposes or for starting or kindling fires.
- E. All solvents should be kept in approved, properly labeled containers. Gasoline and other solvents of this class shall be handled and dispensed only in Underwriters Laboratories (UL) approved, properly labeled (yellow letters) red safety cans.
- F. When pouring or pumping gasoline or other flammable liquids from one container to another, metallic contact shall be maintained between the pouring and receiving containers. Transferring of flammable liquids from one container to another shall be accomplished only in properly ventilated spaces free from ignition sources.
- G. Strict adherence shall be paid to “No Smoking” and “Stop your Motor” signs at fuel dispensing locations.

Housekeeping

- A. Work locations including vehicles, buildings, shops, yards, offices, cabs, etc. shall be kept clean and orderly at all times.
- B. Permanent floors and platforms shall be kept free of dangerous projections or obstructions and shall be maintained reasonably free from oil, grease, or water. Where the type of operation produces slippery conditions, mats, grates, cleats or other methods shall be used to reduce the hazard from slipping.
- C. Materials and supplies shall be stored in an orderly manner so as to prevent their falling or spreading and to eliminate tripping and stumbling hazards.

2.04 Cold and Heat Related Illnesses Awareness

Cold Related Illnesses

Hypothermia is when the body's temperature drops below normal causing uncontrollable shivering, weakness, drowsiness, disorientation, unconsciousness, and even death. Persons working outdoors during the winter months should dress in layers, keep dry, and work with co-workers whenever possible.

Heat Related Illnesses

Heat stroke, heat exhaustion, heat cramps and heat rash are health related problems associated with working in hot environments. Heat related illnesses can be caused by prolonged exposure to hot temperatures, limited fluid intake, or failure of temperature regulation mechanisms in the brain.

By following a few basic precautions, health problems associated with working in hot environments can be prevented:

- A. Those unaccustomed to working in the heat should be given time to adjust to work in a hot environment.
- B. Wear loose fitting clothing and protect yourself by wearing a hat. Sunscreen should also be used when prolonged exposures to sunlight may be possible.
- C. Drink plenty of fluids to help prevent dehydration. Eight to ten (8-10) ounces of fluid are recommended every ten to fifteen (10-15) minutes when working in extremely hot or humid conditions. Beverages containing alcohol or caffeine should be avoided.
- D. Alternate work and rest periods. Heavy work should be scheduled for the cooler parts of the day if possible.
- E. Educate employees on the symptoms, treatments and preventive measures for heat related problems.

2.05 General Office Safety

General Office Safety shall be adhered to according to the following rules:

- A. Employees shall walk cautiously up and down stairs and use handrails whenever possible.
- B. Caution shall be exercised when walking around blind corners.

- C. Desk drawers and file cabinets shall be kept closed when not in use.
- D. Only one drawer of a file cabinet shall be pulled out at a time.
- E. Boxes, chairs, buckets, etc. shall not be used in place of ladders.
- F. The floor shall be kept clear of tripping hazards such as telephone cords, electrical extension cords, paper cartons, etc.
- G. Hallways and aisles shall be kept clear of obstructions.
- H. All emergency exits, electrical panels, fire extinguishers, and emergency equipment shall be kept clear of all obstructions.
- I. Solvents or other toxic substances shall be used only with adequate personal protection or in well-ventilated areas. Material Safety Data Sheets (MSDS) should be available and accessible to all employees who are using these substances.
- J. Employees shall not attempt to clean, oil or adjust any machine or equipment that is running. If the machine is not equipped with a starting switch that can be locked in the "off" position, it shall be disconnected from the power source.
- K. Unsafe electrical cords, faulty equipment, or any other hazardous condition shall be reported and taken out of service until the repairs are completed.
- L. Broken glass and other sharp objects shall not be placed in wastepaper containers.

2.06 Ergonomics Awareness

Work Stations

- A. Chairs should be easily adjustable and provide good lumbar support. If feet cannot rest firmly on the ground, a footrest may be provided. Chairs with a five-point base are recommended due to the stability that is provided. Sufficient legroom must be allowed for seated operators.
- B. Position the computer monitor directly in front of the operator. The operator's eyes should be level with the top of the screen.
- C. The equipment or sources of light should be positioned so that glare or bright reflections on the display screen are minimized.

- D. Adjust the height of the chair and/or keyboard so that the shoulder-elbow-arm angle is approximately 70-90 degrees.
- E. Keyboard heights and placement should be adjustable. Use a cushioned palm rest if needed to keep user's hands and fingers in the same plane as the forearm and avoid resting wrists and forearms on sharp table edges.
- F. Work surface heights should range from 23 to 28 inches for seated workstations. In addition, your work area should be well organized with routine operations within easy reach and easily accessible.
- G. Document holders should be placed adjacent to and at the same height as the display screen.
- H. Operators should adjust positions frequently and get up and move around to help avoid fatigue.

Lighting, Noise and Heat

- A. Adequate but not excessive heat should be provided.
- B. Windows should be equipped with adjustable blinds.
- C. Use task lighting where extra illumination is required.
- D. Noise above 85 to 90 decibels (dBA) may be harmful to workers. When exposed to high noise levels, employees shall utilize hearing conservation devices to ensure proper working conditions.
- E. Whenever possible, isolate noisy machines and equipment in a remote location.
- F. Tailor work practices to prevent heat/cold-related disorders. Employees exposed to hot environments must know the appropriate medical steps to counteract potentially life threatening situations such as heat stroke, heat exhaustion, and heat cramps. The same steps should be applied to disorders associated to cold environments, such as hypothermia.

2.07 Preventing Workplace Violence

Recognize signs that may precede violence in your co-workers or customers and report them to your supervisor. Be cautious when you deal with a person who:

- A. Makes verbal threats on the job about getting "even" with co-

workers or with your employer for disciplinary action or dismissal.

- B. Regularly threatens or intimidates others.
- C. Claims people are out to get him or her.
- D. Talks a lot about weapons-and may own them.
- E. Holds grudges.
- F. Blames others for problems or setbacks.
- G. Gets angry very easily and often.
- H. Is defensive when criticized.

Report the following behavior to your supervisor:

- A. A customer that becomes unusually angry with you because of perceived slow service, perceived poor product quality or lack of information.
- B. A customer who talks abusively when making a telephone complaint.
- C. A customer who threatens you or co-workers.

Respond effectively to a threatening or violent situation:

- A. Take all threats seriously.
- B. Stay calm and be polite-look the person in the eye and do not argue or threaten.
- C. Address each customer with a friendly greeting when you are on the phone or meeting the customer in person.
- D. Be courteous at all times.
- E. Notify the police if you are frightened-or use a warning signal to alert co-workers.

Protect yourself and co-workers on the job:

- A. Keep security and police department numbers near your phone.
- B. Know how to use an alarm or alert staff to possible danger.

- C. Develop a “danger signal” you can use to alert others to possible danger.
- D. Meet visitors in the lobby and escort them to your work area.
- E. Report any unusual packages to appropriate personnel, do not open them.
- F. Lock purses and personal belongings in a desk or locker.
- G. Report signs of a break-in and missing items immediately.

Follow security policies and procedures:

- A. Keep locked doors locked, do not prop them open.
- B. Wear name tags or badges when required.
- C. Do not share access cards or entry codes.
- D. Do not allow non-employees (including ex-employees) to avoid sign-in and other visitor entry procedures.
- E. Report all threats and security violations.

TITLE III

SAFETY REGULATIONS

CHAPTER 4 SAFETY EDUCATION & TRAINING POLICY

4.01 Safety Meetings/ Training

Safety meetings are an effective way to encourage, educate and train employees on safe work practices and should be held on a quarterly basis. The Department Head and the Human Resources Manager will provide information to be used in the meetings. Safety meetings will normally be conducted by designated employees. All safety meetings will be documented as to the date, attendance and topic discussed. Subjects to be addressed during the safety meetings will include, but are not limited to, the following:

- Hazards associated with the workplace
- Hazards of particular jobs or tasks
- Emergency procedures
- Hazard communication
- Specific equipment operation training
- Employee reporting requirements
- Office safety
- Driving safety
- Machinery safety
- Contractor safety requirements
- Back injury prevention
- Housekeeping

4.02 Documentation of Safety Meeting/Training

Documentation from any safety meeting/training courses attended by employees, supervisors or managers will also be kept on file in the Human Resources Manager for record keeping purposes. Employees who do not attend regularly scheduled safety meetings or training activities will be identified and scheduled to attend makeup training. Documentation will be available for employees that attend makeup training.

4.03 Ongoing Training

The Department Head and a representative of the Human Resources Manager provide ongoing safety training in the following areas as the need arises:

- New equipment purchases
- New/changes in operations
- Identified areas of increased accidents
- Newly identified areas of exposure

4.04 New Employee Safety Orientation

The Human Resources Manager will provide an orientation to all new employees to address safety rules, policies and procedures.

Supervising personnel must orient new employees on specific department/divisional safety rules and the safe operation of equipment. Supervisors shall document orientation in Appendix A. Safety meetings attendance shall be documented on Appendix B.

4.05 Reporting Unsafe Acts/ Unsafe Conditions

All employees are encouraged and required to report any unsafe acts or unsafe conditions to their Supervisors, Managers or the Human Resources Manager.

NEW EMPLOYEE SAFETY ORIENTATION
Title III Safety Regulations Chapter 4
(Appendix A)

This form is to be used by the Supervisors to document new employee orientation as indicated as stated in Chapter 4 Section 4.04 of the Personnel and Administrative Regulations Manual. This orientation documentation should be kept in the departmental file for recordkeeping purposes.

Employee Name: _____ Hire Date: _____

Job Title: _____ Dept/Div: _____

Supervisor: _____

Orientation List

| Areas Discussed | Employee Initials | Date |
|---|-------------------|------|
| 1. Overall safety program. | | |
| 2. General safety rules and job specific safety rules. | | |
| 3. Employee safety responsibilities reviewed with employee such as: | | |
| a) Where/when to report unsafe conditions | | |
| b) How/when/where to report injuries | | |
| c) Care and use of tools and equipment | | |
| 4. General hazards in workplace | | |
| 5. Hazardous chemicals, including MSDS | | |
| 6. Proper lifting, material handling | | |
| 7. Identified past safety problem areas in employee job duty area | | |
| 8. Record keeping systems | | |
| 9. Office safety | | |
| 10. Reviewed evacuation and emergency action procedures | | |
| 11. Identify location of fire extinguishers and discuss proper use | | |

Employee Signature: _____ Date: _____

Supervisor Signature: _____ Date: _____

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SAFETY REGULATIONS**

CHAPTER 5 SAFETY AUDIT/ INSPECTION POLICY

5.01 Purpose

In an effort to detect unsafe acts or unsafe conditions and initiate corrective action(s), a regular, documented self-inspection of facilities and job sites will be conducted by the Department Heads every six months. An employee(s) may be requested to assist the Department Head in conducting the inspections. A record of the self-inspection will be maintained at the office of the Risk Management.

Individual employees are responsible for inspecting their work areas for possible hazards on a continual basis. Any potential hazards will be reported to supervisory personnel immediately and may also be reported to the Human Resources Manager.

Employees assigned to drive a City of Lake Worth vehicle will complete vehicle inspections on a daily basis. The completed vehicle inspection reports will be maintained by the individual Department for a period of one year from the date of the report. Maintenance and repair records will be kept in accordance with the Texas State Library of Archives. Corrective actions shall be documented for any identified deficiencies.

Department Heads will also perform spot inspections of facilities, job sites, vehicles and machinery in an effort to assist Risk Management in the required reviews. The Risk Manager is responsible to review and collect the submitted reports.

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CHAPTER 6 MOTOR VEHICLE SAFETY

6.01 Standards

Employees authorized to drive a City of Lake Worth vehicle or operate motorized equipment in the course of their employment shall be required to meet the following minimum conditions of eligibility for driving/operating privileges:

- A. Shall have a valid driver's license, with appropriate class and endorsements as required for proper use of the equipment.
- B. Wear seat belts and other relevant safety equipment when operating City of Lake Worth vehicles or motorized equipment when appropriate.
- C. Observe all City of Lake Worth vehicle and traffic related policies.
- D. Observe all laws and ordinances relating to the operation of City of Lake Worth vehicles or motorized equipment.
- E. Be responsible for the proper care and use of vehicles or motorized equipment. This includes maintaining City of Lake Worth vehicle/motorized equipment interiors and exteriors, regularly servicing these items and reporting maintenance needs to the supervisor, and operating all City of Lake Worth vehicles/motorized equipment in a manner that conserves fuel and reduces depreciation.
- F. Employees receiving car allowance shall fulfill all current legal regulations such as insurance, inspection, and registration.

6.02 Procedures

The following procedures shall be observed under this policy:

- A. Employees operating City of Lake Worth vehicles or motorized equipment must report to their supervisors any accident involving said vehicles immediately.
- B. Employees assigned to positions which require the driving/operating of City of Lake Worth vehicles or motorized equipment shall report any changes to driver's license status,

classification or endorsement(s) to their immediate supervisor within twenty-four hours of the change.

- C. Failure to report license suspensions, maintain the required driver's license, or meet minimum driving record criteria will be sufficient grounds for removal from driving privileges and may subject the employee to disciplinary action.

- D. The Human Resources Department will make a list annually of all personnel who have driving or motorized equipment operation responsibilities. This list shall include the employee's name, date of birth, and current driver's license number, and will be used to review each employee's driving record for the past three years through a motor vehicle record check. The Human Resources Manager and appropriate Department Head will be notified of any employee whose driving record fails the criteria set forth in Title I, Chapter 6 (Rules of Conduct), or Section H (Driving Record Requirements), of the Personnel and Administrative Regulations Manual (PARM).

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SAFETY REGULATIONS

CHAPTER 7 WRITTEN HAZARD COMMUNICATION PROGRAM

7.01 General Information

It is the intention of the City of Lake Worth to comply with all laws and regulations of the Texas Hazard Communications Act (THCA) as amended. In order to comply, the following written Hazard Communication Program has been established.

The master copy of the written hazard communication program will be maintained in the office of the Fire Marshal. Copies of the written program will be modified as needed for each separate workplace where hazardous chemicals are used or stored, and a copy maintained at each workplace. The written program will be available to all interested employees and their representatives upon request.

To facilitate administration of and compliance with this Program, the following levels of responsibility have been established:

- A. The Fire Marshal will have overall responsibility for administering and maintaining this program and endeavoring to ensure that it meets all requirements of State and Federal Laws.
- B. Supervisors will be responsible for maintaining the safe use of hazardous materials in their area. They will also be responsible to monitor and insure the proper use of safety equipment by their employees. Supervisors will report any violations to the policy immediately to their supervisor.
- C. Individual employees will be responsible for adhering to and observing any and all safety regulations. Employees must also use proper safety equipment and tools. Further, the employees are responsible for reporting any potential exposure or unsafe conditions.

7.02 Exemptions

The following chemicals are exempt from the requirements of the Texas Hazard Communication Act (THCA) and are outside the scope of this written program:

- A. Hazardous waste that is subject to regulation by the Texas Commission on Environmental Quality (TCEQ) and/or the U.S. Environmental Protection Agency.
- B. A chemical in a laboratory under the direct supervision or guidance

of a “technically qualified individual” if:

- a. Labels on incoming containers of chemicals are not removed or defaced,
 - b. This employer complies with Sections 502.006 and 502.009 of the THCA with respect to laboratory employees; and
 - c. The laboratory is not used primarily to produce hazardous chemicals in bulk for commercial purposes.
- C. Tobacco or tobacco products.
- D. Wood or wood products.
- E. Articles formed to a specific shape or design during manufacture and that do not release or otherwise result in exposure to a hazardous chemical under normal conditions of use.
- F. Food, drugs, cosmetics or alcoholic beverages.
- G. Consumer products or hazardous substances used in the workplace in the same manner as normal consumer use and if the use results in a duration and frequency of exposure that is not greater than exposures experienced by a consumer.
- H. Radioactive waste.

7.03 Workplace Chemical List

The City of Lake Worth will develop and maintain a list of hazardous chemicals normally present in the workplace in excess of 55 gallons or 500 pounds. This Workplace Chemical List will be developed for each workplace where such quantities of hazardous chemicals are used or stored and will be available for review by employees and their designated representatives.

The Fire Marshal or his designated representative will be responsible for reviewing and updating the Workplace Chemical List(s) for the City of Lake Worth as necessary, but at least by December 31 of each year. The Workplace Chemical List will be maintained for at least 30 years.

Further information on each noted chemical can be obtained by reviewing Material Safety Data Sheets (MSDS) located in each workplace where these hazardous chemicals are used or stored.

7.04 Material Safety Data Sheets

The City of Lake Worth will maintain a current and appropriate Material Safety Data Sheet (MSDS) for each hazardous chemical purchased.

The Fire Marshal or his designated representative will be responsible for the MSDS system for the City of Lake Worth and will ensure that:

- A. Incoming MSDSs are reviewed for new and significant health/safety information and that any new information is passed on to the affected employees.
- B. Hazardous chemicals received without an MSDS are withheld from use until a current MSDS is obtained.
- C. Missing MSDS sheets are requested from an appropriate source (e.g., chemical manufacturer, distributor, or electronic database) within 30 days from receipt of the hazardous chemical.
- D. Affected employees are provided a description of any alternative system (such as electronic databases) being used in lieu of actual MSDS sheets.
- E. Emergency responders are provided MSDS sheets as soon as practical upon request.
- F. MSDS files for the City of Lake Worth will be kept at the offices of the Fire Marshal.
- J. MSDS sheets will be readily available for review by employees or their designated representatives upon request.

7.05 Chemical Container Labels

All containers of hazardous chemicals used or stored by the City of Lake Worth will be appropriately labeled. The Fire Marshal or his designated representative will be responsible for the hazardous chemical labeling system and will verify that:

- A. All **primary containers** of hazardous chemicals are clearly labeled to include:
 - a. The identity of the chemical as it appears on the MSDS.
 - b. The appropriate hazard warnings.
 - c. The name and address of the manufacturer.
- B. All **secondary containers** of hazardous chemicals are clearly labeled to include:
 - a. The identity of the chemical as it appears on the MSDS.
 - b. The appropriate hazard warnings.

- C. A description of alternative labeling systems, if used, is provided to employees. Examples of alternative labeling systems are the National Fire Protection Association (NFPA) 704m Standard and the Hazardous Materials Information Systems (HMIS) Standard.
- D. Every effort will be made to label pipes that carry materials that could be hazardous. Labeling can be specific markings identifying the contents of the pipes. If hazardous chemicals run through the pipes, the potential hazards and necessary safety precautions relative to the chemicals must be obtained and given to the employees working in the area.
- E. Any empty container being considered for re-use must be fully cleaned and all labels removed prior to use.

The City of Lake Worth will rely on the chemical manufacturers or distributors to provide labels which meet the above requirements for primary containers of all hazardous chemicals purchased, and will re-label containers only when the label is illegible or otherwise does not meet the above requirements.

7.06 Employee Training Program

The City of Lake Worth will provide an education and training program to all employees who routinely use or handle hazardous chemicals in their workplace. The Fire Marshal or his/her designated representative and the Human Resources Manager will be responsible for the employee training program and will ensure that:

- A. Appropriate training is provided to all covered employees and includes:
 - a. The use of information provided on MSDS sheets and chemical container labels.
 - b. The location of hazardous chemicals present in the employees' work areas.
 - c. The physical and health effects of exposure.
 - d. Proper use of personal protective equipment.
 - e. Safe handling of hazardous chemicals.
 - f. First aid treatment for exposure to hazardous chemicals.
 - g. Safety instruction on clean-up and disposal of hazardous chemicals.
- B. All covered employees are identified and incorporated into the training program.
- C. Employees are provided information concerning the hazardous

chemicals to which they may be exposed during the performance of non-routine tasks.

- D. New employees are trained prior to their being required to use or handle a hazardous chemical.
- E. The need and frequency for periodic/refresher training is assessed. Employees subject to these training requirements will sign an attendance roster for each training session attended, verifying that the information is received and understood.

The required training records will be maintained by the Human Resources Department. Such records will consist of training dates and subjects covered, as well as names of instructor(s) and attendees.

7.07 Reporting Employee Deaths and Injuries

The Fire Marshal will notify the Texas Department of Health (TDH), Hazard Communication Branch, of any employee accident that involves a hazardous chemical exposure or asphyxiation, and that is fatal to one or more employees or results in the hospitalization of five or more employees within 48 hours of occurrence. Notifications will be made either orally or in writing.

Employees will be responsible for reporting all accidents involving a hazardous chemical to their supervisor.

Supervisors will be responsible for reporting all accidents involving a hazardous chemical to the Fire Marshal or his designated representative.

7.08 Posting Employee Notice

The City of Lake Worth will post and maintain in **all workplaces** where hazardous chemicals are used or stored the most current version of the TDH *Notice to Employees*, informing employees of their rights under the THCA.

The *Notice to Employees* shall be clearly posted and unobstructed at all locations in the workplace where notices are normally posted, and with at least one location in each workplace. In addition, a copy printed in Spanish will be posted together with the English version wherever necessary.

Additional copies of the *Notice to Employees*, in both English and Spanish, are available from the Hazard Communication Branch of the TDH.

7.09 Personal Protective Equipment

The City of Lake Worth will provide appropriate personal protective equipment (PPE) to all employees who use or handle hazardous chemicals. The

Fire Marshal or his designated representative will assume overall responsibility for the PPE program and will ensure that appropriate equipment and training are provided, to include:

- A. Proper selection of PPE based on:
 - a. Routes of entry
 - b. Permeability of PPE material
 - c. Duties being performed by the employee
 - d. Hazardous chemicals present
- B. Proper fit and functionality of PPE as described by the manufacturer's specifications.
- C. Appropriate maintenance and storage of PPE.

7.10 Maintaining Employee Rights

The City of Lake Worth shall not discipline or discriminate against any employee for filing complaints, assisting inspectors of the Texas Department of Health, participating in proceedings related to the Texas Hazard Communication Act, or exercising any rights under the Act.

Employees cannot waive their rights under the Texas Hazard Communication Act. A request or requirement for such a waiver by an employer violates the Act.

7.11 Informing Contractors

Before a contractor commences work in a City of Lake Worth workplace, the Department and/or Supervisor who controls the work area will be responsible for:

- A. Informing the contractor of its rights under the Act.
- B. Providing a copy of the Workplace Chemical List.
- C. Providing copies of all MSDSs for the hazardous chemicals that they may be exposed to in the workplace.
- D. Having the contractor provide MSDSs for any hazardous chemicals they will be bringing into the City of Lake Worth workplace to which the City of Lake Worth employees will have an exposure.

TITLE III

SAFETY REGULATIONS

CHAPTER 8 FIRST AID/ WORKPLACE EMERGENCIES

8.01 Workplace Emergencies and First Aid

- A. All injuries, regardless of how minor, shall be reported to your supervisor.
- B. Preplanning for a potential emergency situation is most valuable. All employees shall be aware of the medical services available and how to obtain them. Emergency phone numbers shall be posted in all work areas.
- C. Where first aid kits are supplied, employees shall be familiar with the location, contents, and the instructions given with the first aid kit. Each employee shall learn how to use this equipment so they can render treatment when needed.
- D. The contents of the first aid kits shall be inspected each month and expended items replaced. Personal medication shall not be kept in first aid kits.
- E. A checklist will be kept with each first aid kit showing the name of the person and date it was checked.
- F. Where the eyes or body may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided for emergency use.

8.02 Poison Ivy, Oak and Sumac Awareness

- A. Sensitivity to these plants can vary and some people who do not appear sensitive may develop a sensitivity on later exposures.
- B. Exposures to poison ivy, poison oak or sumac are greatest in the spring and summer months when the oil (urushiol) is most abundant.
- C. Onset of the rash is from a few hours to several days after exposure. The skin becomes red, blisters appear, usually accompanied, by itching. As symptoms progress, swelling and fever may develop.

- D. Common poison ivy can be recognized by its three green, glossy leaflets that turn yellow in the fall.
- E. Western poison oak can be recognized by its vine form and three leaflets that are green or brown in color with yellow veins and brownish/yellow stems. In addition, the leaves are covered with hair on the underside and there are groups of hairy, yellowish berries.
- F. Poison sumac is recognizable as a woody shrub or small tree, five to twenty-five feet tall and containing seven to thirteen leaflets per stem. The leaves turn red in the fall. Poison sumac has cream-colored berries that hang in loose groups from the branches.
- G. If you are going to be in areas where you know poison oak or ivy is likely to grow, wear long pants and long sleeves, and if practical, gloves and boots. Your best protection is to identify the plant and avoid contact. For highly sensitive persons, a barrier cream can provide even greater protection.
- H. Be aware that the plant's oily resin sticks to almost all surfaces and can even be carried in the wind (on particles of dust) when there is a fire burning.

If you think you have contacted poison ivy, follow these simple procedures:

- A. Wash all exposed areas with cold running water as soon as you can. If this is done within five minutes, the water should neutralize or deactivate the urushiol in the plant's oil before it can bond with your skin and create a rash. Soap is not necessary and may even spread the oil.
- B. If possible, change clothes. Wash all clothing outside with a water hose before taking it into the work area or home to prevent the oil from being transferred to furniture or rugs. Resinous oils can last on tools and clothing for months unless properly cleaned or laundered.
- C. Mild rashes can be treated with lotions and by soaking in an oatmeal bath or covering the rash with wet compresses. Contact a physician for treatment of severe cases or if the irritation is not cleared up in three or four days.

8.03 Insect bites and stings

Symptoms of an insect bite result from the injection of venom or other substances into your skin. The venom triggers an allergic (immune) reaction. The severity of your reaction depends on your sensitivity to the venom or substance.

Most reactions are mild, causing little more than an annoying itch or stinging sensation and mild swelling that disappear within a day or so. A delayed reaction may cause fever, painful joints, hives or swollen glands. You might experience both the immediate and the delayed reactions from the same bite or sting. Only a small percentage of people develop severe reactions (facial swelling, difficulty breathing, and shock) to insect venom.

Bees, wasps, hornets, yellow jackets and fire ants are typically the most troublesome insects. Mosquitoes, ticks, biting flies and some spiders also can cause reactions, but these are generally milder.

For severe reactions:

Severe reactions may progress rapidly. Dial 911 or call for emergency medical assistance if you experience any of the following signs or symptoms:

- Difficulty breathing
- Swelling of your lips or throat
- Faintness
- Confusion
- Rapid heartbeat
- Hives
- Nausea, cramps and vomiting

While waiting for emergency transportation:

- A. Have the person lie down. If the person is alert, consider giving the person an antihistamine.
- B. If unconscious and breathing, lay the person on his or her side to allow drainage from the mouth.
- C. If there is no breathing, movement or response to touch begin cardiopulmonary resuscitation.
- D. Check to see if the person is carrying an allergy kit containing epinephrine. Follow the instructions on the kit.

8.04 Tick bites

Some ticks transmit bacteria that cause illnesses such as Lyme disease or Rocky Mountain spotted fever. Your risk of contracting one of these diseases depends on what part of the United States you live in, how much time you spend in wooded areas and how well you protect yourself.

If you have been bitten by a tick:

- A. Remove the tick promptly and carefully. Use tweezers to grasp the tick near its head or mouth and pull gently to remove the whole tick without crushing it.
- B. If possible, seal the tick in a plastic bag and keep it in case you later need to see a doctor. Otherwise flush it down the toilet or bury it.
- C. Wash your hands after handling the tick.
- D. Apply antiseptic to the bite area.

See your doctor if you develop:

Rash
Fever
Muscle aches
Joint pain and swelling

If possible, bring the tick with you to your doctor's appointment.

**TITLE III
SAFETY REGULATIONS**

CHAPTER 3 RISK MANAGEMENT AND ACCIDENT POLICY

3.01 Policy

While the City of Lake Worth places safety amongst its top priorities, accidents will occur. When accidents do occur, they must be reported to the appropriate parties as outlined in the following sections. All work-related accidents that result in or could potentially have resulted in injury or property damage will be investigated. The City's Human Resources Manager will complete the investigations and propose methods to reduce risk. As nearly all accidents and incidents have their own unique characteristics, only general rules and procedures can be outlined here.

3.02 Responsibilities

A. Employee Responsibilities

1. Employees must immediately report to their supervisor any on-the-job injury or illness they sustain, or suspect they have sustained, no matter how minor (see also Title I, section 5.09 (L) of the PARM).
They must also report any incidents that had the potential for injury to employees or third parties and any instances where property damage occurred.
2. Seek medical attention for anyone injured.
3. Refrain from making any statements or admissions to anyone other than your supervisor, an investigator, or any other duly authorized representative of the City or law enforcement officer.
4. Submit proper documentation regarding the details of the accident to their immediate supervisor.

B. Supervisor Responsibilities

1. Supervisors shall first respond to the immediate medical needs of any injured persons.
2. Review documentation submitted by employees related to an incident for content and thoroughness.
3. The immediate supervisor of the employee will complete the appropriate forms/reports based on the type of situation (see scenario choices under 3.03 Procedures).

C. Witness Responsibilities

1. Witnesses to the event that resulted in the accident or incident will provide statements about what they observed. The witnesses may also be asked to participate in the initial and/or final investigations.

D. Human Resources Responsibilities

1. The Human Resources Manager is responsible for receiving the initial reports of any Workers' Compensation Injury and forwarding them to the appropriate insurance representatives in a timely manner.

E. Risk Management Department Responsibilities

1. The Risk Management office is responsible for receiving the City Accident Forms from City employees and any Notice of Claim Against the City of Lake Worth forms from the City Secretary's Office for processing with the appropriate insurance representative in a timely manner.

3.03 Procedures

I. Workers' Compensation Claims/Accidents Involving Employee Injury

- A. Initial Notification: Employees are responsible for reporting all injuries, illnesses or incidents as described earlier in this policy. Failure to report any injury or incident may be cause for loss of benefits, as well as disciplinary action (Title I, Section 6.04 (H 8). (In the event of a serious or disabling injury, supervisors must assume this reporting responsibility.)
- B. Initial Treatment: During normal working hours, it is preferred to use the occupational medical provider designated by the City of Lake Worth. Medical treatment is mandatory for any of the following:
 - Severe chest pains
 - Traumatic injuries
 - Loss of consciousness or severe dizziness
 - Chemical or Biological contaminations
- C. The first responders to any incident scene will be responsible for securing the area to prevent further damage or injury and also protecting the integrity of the incident scene until an investigation can be initiated.

- D. Any incident involving possible exposures to bloodborne pathogens, communicable diseases, or any other contagious substance shall be handled in accordance with those specific policies or procedures regarding that particular incident.
- E. Injured employees are to be transported for medical treatment either by ambulance or another person depending on the severity of the injury. Injured employees should never be allowed to transport themselves for initial medical treatment, but they may transport themselves for follow-up visits if the injury does not impair their driving abilities.
- F. If an employee refuses medical treatment for an on-the-job injury, the City Accident Form should be completed, and the employee's signature used to document the event.
- G. Reporting Requirements: For accidents resulting in a Workers' Compensation (WC) injury, an Employer's First Report of Injury or Illness form must be completed by the supervisor/manager and forwarded to the Human Resources Manager by the following business day after the accident to assure an initial report is completed and forwarded to the appropriate insurance representative. If the accident also involves property damage/loss, additional procedures will need to be followed (see sections below).

II. Claims and Legal Suits Against the City

- A. Any party desiring to make a claim against the City of Lake Worth may complete a Notice of Claim Against the City of Lake Worth form, which is available in the City Secretary's Office. The completed form should be returned to the City Secretary's Office.
- B. Any party desiring to file a legal suit against the City must file with the City Secretary's Office.
- C. If departments receive written or verbal notification from any party desiring to make a claim or legal suit against the City for any damages, they shall refer the party to the City Secretary's Office.
- D. The City Secretary's Office will forward a copy of the claim and/or suit to the Finance Department for processing.

- E. The Finance Department will send the claim or suit to the City's risk provider and will coordinate all further required action.

III. Motor Vehicle and Equipment Accidents

- A. Upon the occurrence of a vehicular accident involving an employee driving a City vehicle, or operating city equipment, or a personal vehicle while acting in the scope of City employment, the employee(s) should contact their supervisor immediately, regardless of time or day, unless restricted by debilitating injury or extraordinary circumstances.
- B. Employees should contact the local police department. If there are any injuries, the employee should also contact the local Fire and Emergency Services.
- C. The employee's supervisor must first respond to any medical needs of the employee and second have the employee complete a post motor vehicle accident alcohol and drug testing. Post Motor Vehicle accident alcohol and drug tests shall be conducted on all vehicle equipment operators as soon as practical following the accident (Title I, Section 6.01 (D 2)).
- D. If a non-employee vehicle/property owner involved in the accident wishes to file a claim against the City, the employee(s) shall instruct the owner to obtain a copy of the **Notice of Claim Against the City of Lake Worth** form from the City Secretary's Office.
- E. The employee's supervisor must complete a **City Accident Form**. If an employee sustained any injuries, see the procedures for Workers' Compensation claims above. All areas of the form should be completed, including the Potential Liability section if a non-City vehicle or private property was damaged.
- F. Any employees who are witnesses to the accident must submit a Witness Statement.

- G. All completed City Accident Forms, Witness Statements, police reports, and pictures (if available) shall be forwarded to the Finance Department – Risk Management within three (3) working days of the accident.
- H. If the accident resulted in a serious injury or death of any parties involved, the City Secretary's Office, Finance Department, and City Manager must be notified as quickly as possible. If the accident resulted in the serious injury or death of a City employee, the Human Resources Manager should also be contacted. The following information will be required when notification is given:
- Time
 - Date
 - Location of accident
 - Name, address, and telephone number of the seriously injured or deceased individual (if possible)
 - Location where the seriously injured or deceased individual was transported

IV. Damage to Property

- A. The employee involved in or first to witness damage to City property or damage to private property caused by a City employee must complete a City Accident Form. If multiple employees witness the damage as it occurs, only one employee must fill out a City Accident Form; the others need only submit witness statements.
- B. It is the responsibility of the Department Head (or designee) to ensure that the City Accident Form and Witness

Statements are completed and forwarded to the Finance Department – Risk Management Office within three (3) working days for processing. Available photos and repair estimates should be attached to the City Accident Form.

- C. If private property is damaged by a City employee, the property owner may submit a Notice of Claim Against the City of Lake Worth to seek compensation for damages. (See the prior section titled Claims and Legal Suits Against the City.)

IV. Injury to Individual/Non-Employee While on City Property or While Interacting With City Employee

- A. A **City Accident Form** should be completed when an individual/non-employee is injured while interacting with a City employee or was on City property when injured. The first employee to witness the injury should complete the City Accident Form. If multiple employees witness the damage as it occurs, only one employee must fill out a City Accident Form; the others need only submit witness statements. The form is necessary to provide information should the injured individual choose to file a liability claim against the City.

V. Property Theft

- A. Any and all theft of City property shall be reported to the Lake Worth Police department for investigation and proper handling for purposes of law enforcement.
- B. The department head (or designee) in charge of the property should complete a **City Accident Form** that provides as much detail about the event as possible.
- C. It is the responsibility of the department head (or designee) to ensure that the City Accident Form is completed and forwarded to the Finance Department within three (3) working days for processing. If available, a police report and photos of the affected area should be included with the City Accident Form.

VI. Reimbursement for Damage to Property/Vehicle or Property Theft

- A. Upon receipt of a Notice of Claim Against the City of Lake Worth form or a City Accident Form, the Finance Department will forward the form to the City's risk provider, and the risk provider shall become solely responsible for the claim's resolution.
- B. For claims made by non-employees, the risk provider will mail the person either a check for reimbursement or a letter explaining why the claim was denied. For certain incidents in which reimbursement is given, the City will receive a bill for the deductible. When an invoice is received, the Finance Department will process the invoice for payment.
- C. For claims originating within the City, the Finance Department will receive and process the reimbursement check from the risk provider.

Safety Investigation

The Risk Management Department will meet as soon as possible to investigate all work-related accidents that result in or could potentially have resulted in property damage.

The investigation will include:

- (1) Description of the event by the involved persons
- (2) Accounts of witnesses
- (3) Input from supervision
- (4) Listing of causes
- (5) Development of corrective actions.

The investigation must answer the following basic questions:

- **Who** was injured or what was damaged?
- **When** did the accident/incident occur?
- **Where** did the accident/incident occur?
- **Why** did the accident/incident occur?
- **What** caused the accident/incident to occur?
- **How** can it be prevented from occurring again?

Risk Management will take responsibility for issuing the Accident Investigation Report, as found in the PARM, Title III, Chapter 3, Appendix A.

A). The report will also include:

- (1) Finalized corrective actions.
- (2) Assigned completion dates for all corrective actions.
- (3) The Supervisor assigned to oversee the corrective actions shall notify the Human Resources Manager when the corrective actions have been completed.

Copies of the report should be supplied to:

- (1) City Manager; and
- (2) Department Head

3.05 Preventive Investigations

The Risk Management Manager shall compile a listing of potentially hazardous areas or practices periodically for investigation and recommendations. These listings can be based on reported incidents, reports of unsafe conditions by employees or other means available.

The City Manager shall review the presented information, make recommendations to avoid the potential for injury or damage to property, and shall follow up on recommendations to assure compliance.

3.06 Summary of Forms

- Employer's First Report of Injury or Illness: This form should be completed after any accident resulting in injury to a City employee. It must be completed by the supervisor and forwarded to the Human Resources Manager by the following business day after the accident to assure an initial report is completed and forwarded to the appropriate insurance representative.
- City Accident Form: This form should be completed after any accident involving a City employee or City property, except situations where there is a Workers' Compensation injury and no property was damaged (then only an Employer's First Report of Injury or Illness is required). Examples include accidents where City property is damaged, a City employee damages private property, a

person is injured on City property, a person is injured while interacting with a City employee, or a motor vehicle accident involving a City employee. The City Accident Form must be submitted to the Finance Department within three (3) working days. This form provides the information necessary for staff to file an insurance claim if needed and obtain funds from the City's insurance provider to pay for any damages. This form is also used to make the Finance Department aware of any potential claims that could be placed against the City related to City accidents.

- The Notice of Claim Against the City of Lake Worth: This form is to be completed by any person wishing to seek remedy for a loss incurred that they feel the City has caused. This form should be submitted to the City Secretary's office for processing.

