



Chad Mees, Mayor
Vickie Cooper, Mayor Pro Tempore
Gayle Jones, Council Member
Jesse Luna, Council Member
Shelton Gilmore, Council Member
Jackie Ivicic, Council Member

NOTICE AND AGENDA OF A CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF BARTLETT, TEXAS

Notice is hereby given that the City Council of the City of Bartlett, Texas will hold a

Regular Called Meeting

6:00 PM
Monday, May 27th, 2024
Bartlett City Hall
140 W Clark Street, Bartlett, TX 76511

For citizen comments, please contact Brenda Kelley, City Clerk at (municipalcourt@bartlett-tx.us).

CALL TO ORDER, DECLARE A QUORUM, PLEDGE OF ALLEGIANCE, AND INVOCATION

CITIZENS COMMUNICATION

(The City Council welcomes public comments on items not listed on the agenda. However, the Council cannot respond until the item is posted on a future meeting agenda. Public comments are limited to 3 minutes.)

WORKSHOP AGENDA: REVIEW/DISCUSS AND PROVIDE DIRECTION

1. Presentation, update, and discussion on the FY 2025 Budget.

REGULAR AGENDA: REVIEW/DISCUSS AND CONSIDER ACTION

2. Consideration and possible action to approve Resolution 20240527-01 amending and adopting the Personnel Manual.
3. Consideration and possible action to create a hiring committee for the City Administrator position.

FUTURE AGENDA ITEMS

ADJOURN

All items listed on the agenda are eligible for discussion and/or action. The City Council reserves the right to retire into executive session at any time during the course of this meeting to deliberate any of the matters listed, as authorized by Texas Government 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about gifts and donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) 551.086 (Public Power Utilities) and 551.087 (Economic Development). All final deliberations and actions of the governing body shall be held in an open meeting as required by Texas Government Code 551.102.

I certify this agenda was posted, pursuant to Texas Government Code 551.043, at least 72 hours prior to the commencement of the meeting in accordance with the Texas Open Meetings Act.

Posted Wednesday, May 22nd, at or before 6:00 P.M.

A handwritten signature in blue ink, appearing to read 'Brenda Kelley', is written over a horizontal line.
Posted by /s/ Brenda Kelley, City Clerk



AGENDA ITEM #:

1



FY 25 Budget

Overview



- Addressing Priorities
- FY 25 Budget Development
 - General Fund
 - Utility Fund
 - Debt Fund
 - HOT Fund
 - CIP Fund
- Council Feedback and Direction



ADDRESSING PRIORITIES

Priorities



Investing in
infrastructure



Employee retention
and recruitment



Growing fund balance
and fiscal health



Enterprise fund
solvency



Collaboration with
entities



Investing in Infrastructure

Project TypeProject NameFunding Source			Total Cost	Grant Split	City Split	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Water	Elevated Storage Tank - Stand Pipe	ARPA	185,000	170,000	15,000	185,000					
Water	Ground Storage Tank	ARPA	185,000	170,000	15,000	185,000					
Water	Line Work at Water Plant	ARPA	70,900	65,900	5,000	60,900					
Electric	AMI Replacement - Electric	CASH	100,000		100,000	50,000	50,000				
Water	AMI Replacement - Water	CASH	160,000		160,000	80,000	80,000				
Streets	Sidewalk Project	SRTS	886,256	865,356	20,900	886,256					
Wastewater	Generators - WWTP LS, Evie LS	FEMA/CASH	262,390	236,151	26,239	262,390					
Wastewater	Design of WWTP, Line Replacements, & Manholes	TWDB Loan	1,785,000	1,000,000	785,000	382,500	1,402,500				
Wastewater	Construction of WWTP, Line Replacement & Manholes TBD - TWDB Loan		16,000,000	14,400,000	1,600,000	6,000,000	10,000,000				
Water	Well	TBD	3,500,000						3,500,000,000		
Water	Water Line Replacements	TBD	1,350,000			500,000		500,000	250,000	100,000	
Streets	Repaving	TBD	1,000,000				250,000	250,000	250,000	250,000	
Wastewater	Manhole Replacements (Brooks, Salt Lake, Bowie)	TBD	320,000		320,000	320,000					
Water	Booster Pump Replacement	TBD	250,000				250,000				
Parks and Rec	Pool Upgrade	TBD	250,000					250,000			
Water	Generators - Main Well, Small, Well, Fire Station	TBD - FEMA	450,048	405,043	45,005	450,048					
Parks and Rec	Park Improvement	Cash	30,000		30,000	30,000					
Total				17,312,450	3,122,144	1,981,146	8,863,448	10,580,000	3,501,000,000	500,000	350,000



Employee Recruitment and Retention

Retention



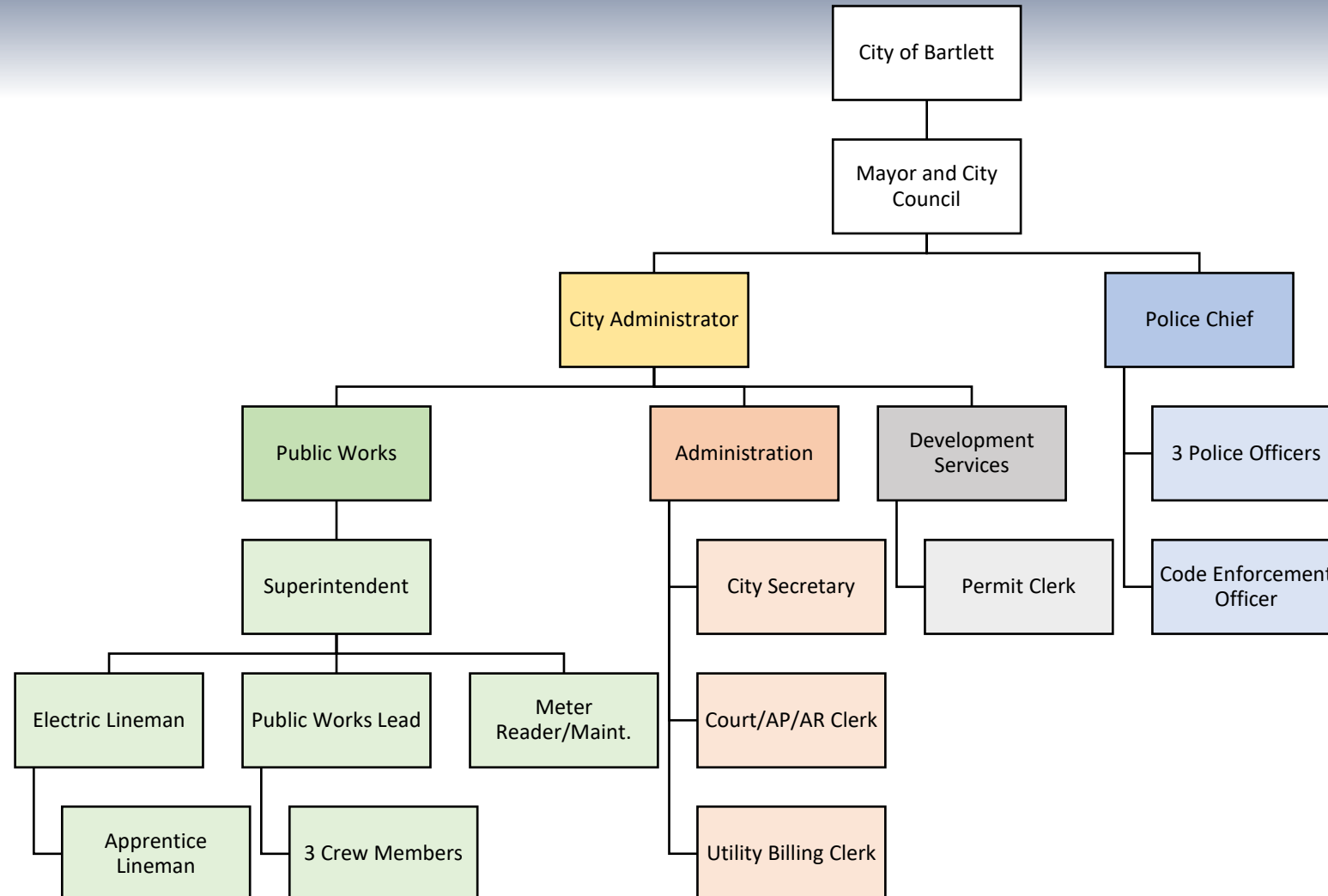
- TMRS 2:1
- Market Study
 - Increased salaries to match Councils direction earlier this year in these positions:
 - Public Works Lead
 - Public Works Crew Member
 - Police Officers
 - Utility Billing Clerk



Future Staffing Needs

- Police
 - Minimum staffing to have 24-hour coverage would be 4 officers
 - Add an additional officer FY25
 - Opportunity to partner with BSD on providing an SRO (shared cost BSD/City 80/20 split)
- Code Enforcement
 - Shared Code Enforcement Officer with other cities
 - Currently being discussed with Little River/Rogers and other cities
 - Would create a time savings for our PD and a cost savings as a whole
- Public Works
 - In need of an additional public works crew member
 - Transition one current staff member to meter reads and grounds/easement/ROW maintenance
- Administration
 - City Secretary
 - Dedicated position that can focus on agenda planning, minutes, records retention, open records requests
 - Would allow current staff to continue work on AP, AR, Court, assistance with utility billing

Proposed Organization Chart





Growing Fund Balance and Fiscal Health

Financial Policy



- Minimum Fund Balance
 - Unassigned fund balance of 3 months of budgeted expenditures for the fiscal year, to be used for unanticipated needs.
 - Average monthly expense for all funds is around \$349,495.06
 - Target Fund Balance:
 - General Fund - \$349,495
 - Utility Fund - \$698,291
 - Work towards creating budgets with revenues exceeding expenses to continue to add to the fund balance year over year
 - Create financial solvency through:
 - Fee structure to pay for staff in development
 - Regular rate study analysis

Rate Study



- Cost of service study underway for water, wastewater, and electric with study results being presented to Council on June 24th
- A cost of service study is an analysis of costs that assigns to each class of customers its proportionate share of the utility's total cost of service
 - i.e., the utility's total revenue requirement based on expenses to run the utilities
- The rates proposed will be structured so that the utility fund is whole as enterprise funds should be



Collaboration with Entities

BISD - SRO



- Met with Superintendent in late 2023 and discussed this possible opportunity
 - No decision was made at the time, but interest was expressed
- Cost
 - Officer Salary: \$64,428
 - Benefits: \$11,200
 - Vehicle: \$65,000
 - Equipment and Training: \$20,000
- Recommend a 90/10 BISD:City Split

Work Days	School Work Hours
187	1,570.80
Police Hours by Day	Annual Hours for an Officer
8.4	2,184.00
Ratio of Time	72%

SRO Cost Allocation

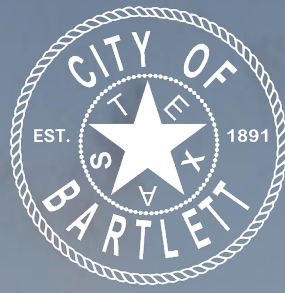


Entity	Salary	Benefits	Vehicle	Equipment and Training	Total	One Time	Ongoing
BISD	57,985.20	10,080.00	6,500.00	2,000.00	76,565.20	8,500.00	68,065.20
CITY	6,442.80	1,120.00	58,500.00	18,000.00	84,062.80	76,500.00	7,562.80
TOTAL	64,428.00	11,200.00	65,000.00	20,000.00	160,628.00	85,000.00	75,628.00



Code Enforcement Officer

- Met with City Administrator of Rogers/Little River who proposed the opportunity to hire a Code Enforcement Officer and share amongst other cities
 - Other cities considering: Rosebud, Holland, Rogers, Little River, Academy, Granger, Buckholts
- Mid-June expect to know how many cities will participate
 - Cost of position to range based on this
- Budget for position: \$10,000



FY Budget Development



General Fund

5 Year Debt



Property Taxes



	Rate Type	Taxable Value	Tax Rate	M&O Rate	I&S Rate	Tax Levy	M&O Levy	I&S Levy	Variable to VAR	Average Tax Bill - City
FY 2024	Adopted	112,489,074	0.750000	0.639711	0.110289	843,668	719,605	124,063	254,686	1,125.00
FY 2025	NNR	117,837,461	0.720753	0.562981	0.157772	849,317	663,402	185,915	(81,390)	1,081.13
	VAR	117,837,461	0.789823	0.632051	0.157772	930,707	744,792	185,915	-	1,184.73
	DMR	117,837,461	1.189979	1.032207	0.157772	1,402,241	1,216,326	185,915	471,534	1,784.97
	Option 1	117,837,461	0.550000	0.392228	0.157772	648,106	462,191	185,915	(282,601)	825.00
	Option 2	117,837,461	0.600000	0.442228	0.157772	707,025	521,110	185,915	(223,683)	900.00
	Option 3	117,837,461	0.650000	0.492228	0.157772	765,943	580,028	185,915	(164,764)	975.00

*Based on data provided to date by Wilco/Bell CAD (05.16.2024)

General Fund - Overall



	FY 2024 Budget	FY 2025 Base Budget
Revenue Total	1,536,393.00	1,524,473.00
Expense Total	1,324,048.00	1,347,021.00
	212,345.00	177,452.00

General Fund - Revenue



	FY 2024 Budget	FY 2025 Base Budget	YoY Variance
Revenue	1,536,393.00	1,524,473.00	(11,920.00)
Administration	1,425,393.00	1,426,473.00	1,080.00
Baseball Complex	2,500.00	2,500.00	-
Library	-	-	-
Municipal Court	108,500.00	95,500.00	(13,000.00)
Parks and Recreation	-	-	-
Police	-	-	-

General Fund - Expense



	FY 2024 Budget	FY 2025 Base Budget	YoY Variance
Expense	1,324,048.00	1,347,021.00	22,973.00
Administration	203,007.00	224,725.00	21,718.00
Fire	37,701.00	32,701.00	(5,000.00)
Library	600.00	1,100.00	500.00
Municipal Court	214,181.00	154,266.00	(59,915.00)
Non-Departmental	404,528.00	444,580.00	40,052.00
Parks and Recreation	21,000.00	23,132.00	2,132.00
Police	379,773.00	353,844.00	(25,929.00)
Public Works	34,987.00	27,974.00	(7,013.00)
Streets	28,271.00	28,271.00	-
Development Services	-	56,428.00	56,428.00



Proposed Budget Additions

- Police Officer/SRO - \$85,000 one time + \$76,528 ongoing
 - Work with BISSD to see if this is an option



Utilities Fund

Utilities Fund - Overall



	FY 2024 Budget	FY 2025 Base Budget
Revenue Total	2,514,249.00	2,953,443.00
Expense Total	2,247,273.00	3,249,358.00
	266,976.00	(295,915.00)

*The revenue assumption will change with the rate study increases

Utilities Fund - Revenue



	FY 2024 Budget	FY 2025 Base Budget	YoY Variance
Revenue	2,514,249.00	2,953,443.00	439,194.00
Electric	1,460,200.00	1,675,000.00	214,800.00
Garbage	235,149.00	278,443.00	43,294.00
Non-Departmental	116,200.00	125,500.00	9,300.00
Sewer	256,500.00	312,500.00	56,000.00
Water	446,200.00	562,000.00	115,800.00



Utilities Fund - Expense

	FY 2024 Budget	FY 2025 Base Budget	YoY Variance
Expense	2,247,273.00	3,249,358.00	1,002,085.00
Electric	1,189,081.00	1,291,011.00	101,930.00
Garbage	-	225,000.00	225,000.00
Non-Departmental	402,995.00	749,406.00	346,411.00
Public Works	3,000.00	5,000.00	2,000.00
Sewer	87,610.00	216,750.00	129,140.00
Water	564,587.00	762,191.00	197,604.00

*Significant YoY increases compared to FY24 budget – due to matching actual expense trends



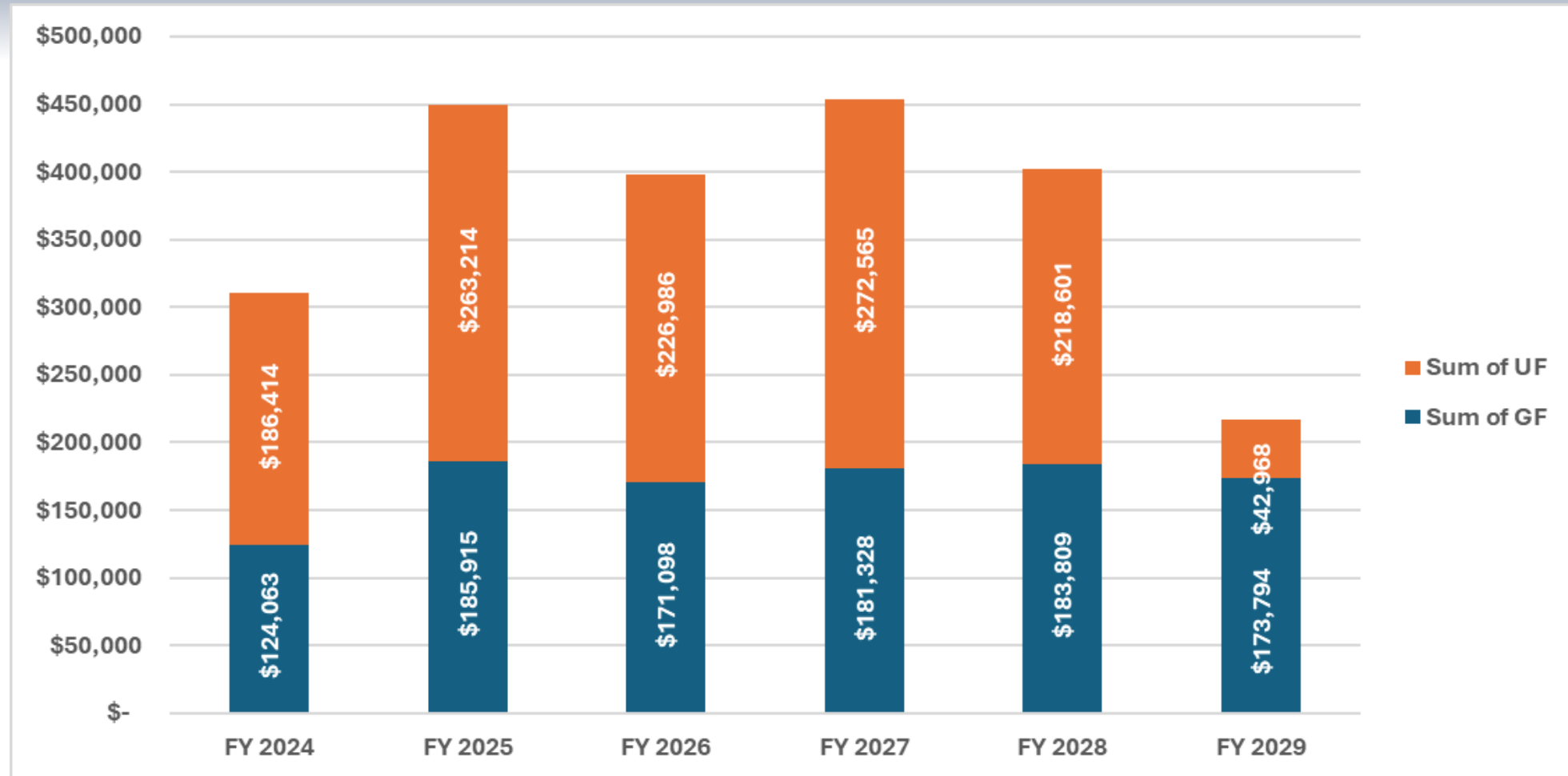
Debt Fund

Debt Fund - Summary

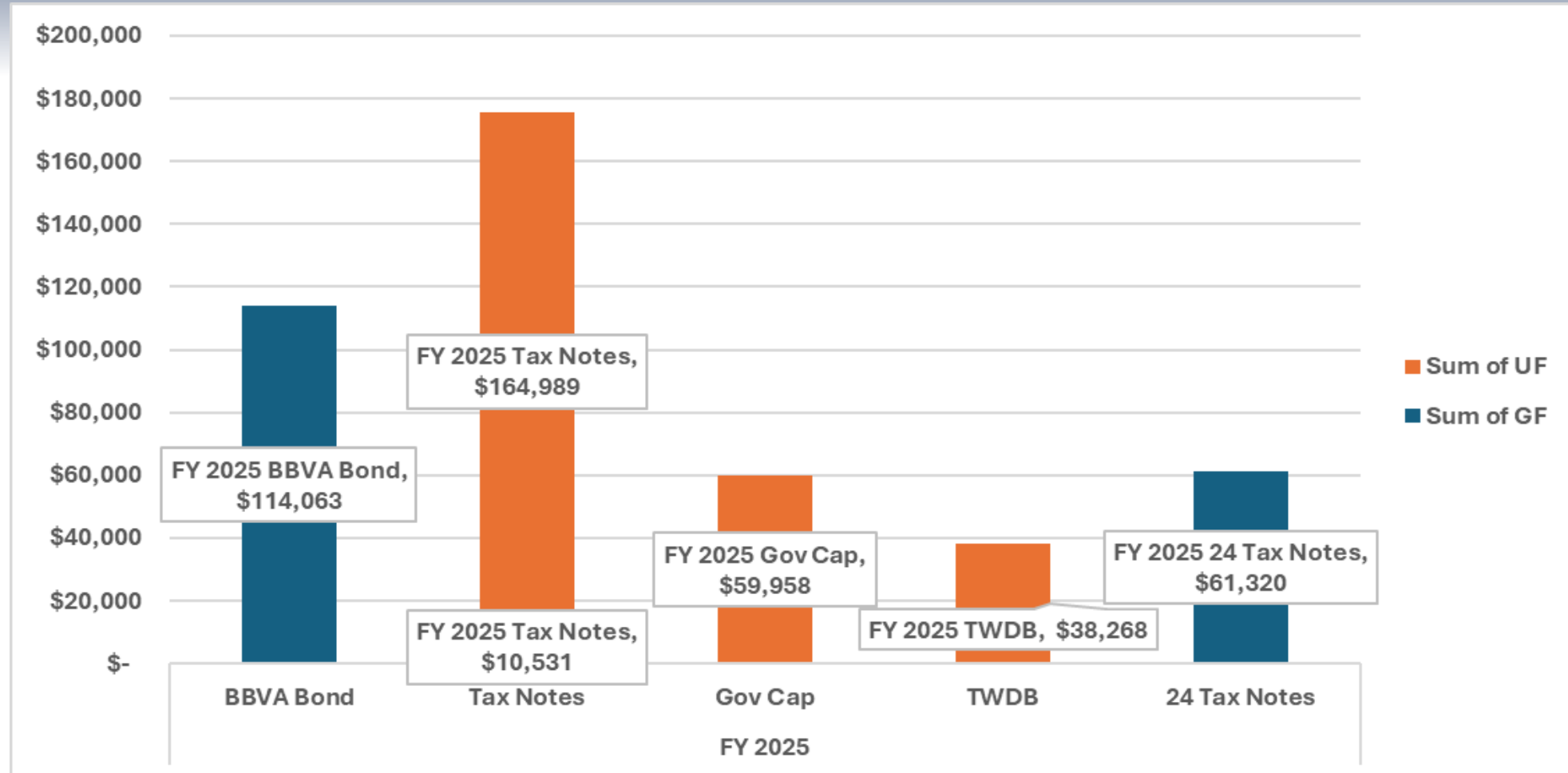


	FY 2024 Budget	FY 2025 Base Budget	YoY Variance	YoY Variance %
Debt				
Revenue				
Non-Departmental				
Interest Income - Debt				
Service		1,500.00	1,500.00	
Transfer to Debt Service				
Fund	310,477.00	449,412.00	138,935.00	44.75%
Expense				
Non-Departmental				
I&S Debt	310,477.00	449,412.00	138,935.00	44.75%

DEBT MULTIYEAR – UTILITY FUND & GENERAL FUND



FY 2025 Debt Payments





Hotel Occupancy Tax Fund



Hotel Occupancy Taxes

- New fund created in 2024 given the City's collection of hotel occupancy tax that was passed by Ordinance in 2020
 - 7% local hotel occupancy tax
- Due the 20th day of each month
- Funds are restricted and can only be used on certain expenses



Use of HOT Fund - Criteria

- Criteria #1 – First, every expenditure must DIRECTLY enhance and promote tourism AND the convention and hotel industry
- Criteria #2 – Every expenditure of the hotel occupancy tax must clearly fit into 1 of 9 statutorily provided categories for expenditure of local hotel occupancy tax revenues
 - Funding the establishment, improvement, or maintenance of a convention center or visitor information center
 - Paying the administrative costs for facilitating convention registrations
 - Paying for advertising, solicitations, and promotions that attract tourists and convention delegates to the city or its vicinity.
 - Expenditures that promote the arts.
 - Funding historical restoration and preservation programs.
 - Funding certain expenses, including promotional expenses, directly related to a sporting event within counties with a population of under 1 million.
 - Funding the enhancement or upgrading of existing sports facilities or sports fields for certain municipalities
 - Funding transportation systems for tourists
 - Signage directing (signage) tourists to sights and attractions that are visited frequently by hotel guests in the municipality

HOT - Overall



Debt	FY 2024 Budget	FY 2025 Base Budget	YoY Variance	YoY Variance %
Revenue				
Special Revenue				
Hotel Occupancy Tax	1,200.00	5,000.00	3,800.00	316.67%



Capital Improvement Project Fund

CIP Fund - Revenue



Beginning Fund Balance	1,799,500.00	
Sources and Revenue	FY 2024 Budget	FY 2025 Base Budget
24 Tax Note	121,400.00	-
ARPA - CITY	218,435.33	218,435.33
ARPA - WILCO	750,000.00	-
EDAP - Projected	-	500,000.00
FEMA - Generators Wells and FS	-	405,043.00
FEMA - Generators WWTP and Evie LS	-	236,151.00
Remaining Tax Notes	49,500.00	
SRTS	637,000.00	-
TWDB	1,750,000.00	-
TWDB - Projected	-	16,000,000.00
	3,526,335.33	17,359,629.33

CIP Fund - Expense



Expense	FY 2024 Budget	FY 2025 Base Budget
Construction WWTP and WW Improvements	-	6,000,000.00
Design WWTP and WW Improvements	250,000.00	1,500,000.00
FEMA - Generators Wells and FS	-	450,048.00
FEMA - Generators WWTP and Evie LS	-	262,390.00
Line Work at Water Plant	-	60,900.00
Manhole Replacements (Brooks)	-	320,000.00
SRTS	637,000.00	-
Water Line Replacements	-	500,000.00
Water Plant Phase 1 - EST	145,000.00	-
Water Plant Phase 2 - GST	305,000.00	-
Water Plant Phase 3 - Pumps	300,000.00	-
	1,637,000.00	9,093,338.00
Ending Fund Balance	1,799,500.00	10,065,791.33



Council Direction

- What would Council like to add to the budget?
 - Positions, vehicles, equipment, etc.
- Does the current proposed budget meet Councils goals?

FY 2025

BUDGET IN DEVELOPMENT

City of Bartlett

GENERAL FUND

GENERAL FUND SUMMARY

	FY 2024 Budget	FY 2025 Base Budget
Revenue Total	1,536,393.00	1,524,473.00
Expense Total	1,324,048.00	1,347,021.00
	212,345.00	177,452.00

REVENUE BY DEPARTMENT – GENERAL FUND

	FY 2024 Budget	FY 2025 Base Budget	YoY Variance
Revenue	1,536,393.00	1,524,473.00	(11,920.00)
Administration	1,425,393.00	1,426,473.00	1,080.00
Baseball Complex	2,500.00	2,500.00	-
Library	-	-	-
Municipal Court	108,500.00	95,500.00	(13,000.00)
Parks and Recreation	-	-	-
Police	-	-	-

EXPENSE BY DEPARTMENT – GENERAL FUND

	FY 2024 Budget	FY 2025 Base Budget	YoY Variance
Expense	1,324,048.00	1,347,021.00	22,973.00
Administration	203,007.00	224,725.00	21,718.00
Fire	37,701.00	32,701.00	(5,000.00)
Library	600.00	1,100.00	500.00
Municipal Court	214,181.00	154,266.00	(59,915.00)
Non-Departmental	404,528.00	444,580.00	40,052.00
Parks and Recreation	21,000.00	23,132.00	2,132.00
Police	379,773.00	353,844.00	(25,929.00)
Public Works	34,987.00	27,974.00	(7,013.00)
Streets	28,271.00	28,271.00	-
Development Services	-	56,428.00	56,428.00

REVENUE – GENERAL FUND

Sources and Revenue	FY 2024 Budget	FY 2025 Base Budget	YoY Variance	YoY Variance %
Administration				
BMDD Sales Tax	14,400	15,000	600	4.17%
Building Permits	30,000	50,000	20,000	66.67%
Film Revenue	-	-	-	
Franchise Fees	10,000	10,000	-	
I&S Property Tax	124,063	185,915	61,852	49.86%
Liquor License	-	-	-	
M&O Property Tax	719,605	580,028	(139,577)	-19.40%
Manf. Home Permits	10,000	10,000	-	
Miscellaneous- Copies & Faxes	-	-	-	
Pet Registration	300	150	(150)	-50.00%
Public Information Act Requests	-	50	50	
Sales Tax	141,550	154,330	12,780	9.03%
Town Hall Rental Fees	-	-	-	
Transfers Between Funds	375,475	421,000	45,525	12.12%
Cemetery Proceeds	2,500	2,500	-	
Library				
Fines, Copies, & Book Sales	-	-	-	
Municipal Court				
Court Fines	108,500	95,500	(13,000)	-11.98%
Revenue Total	1,536,393	1,524,473	(11,920)	-0.78%

EXPENSE – GENERAL FUND

Expense	FY 2024 Budget	FY 2025 Base Budget	YoY Variance	YoY Variance %
Administration				
Accounting Audit Expenses	15,000	16,500	1,500	10.00%
Advertising & Legal Notices	7,500	7,500	-	0.00%
CAD Entity Fees	3,500	5,500	2,000	57.14%
Capital Expenditures	-	-	-	
Cellular Phones & Pagers	1,500	600	(900)	-60.00%
Computer Hardware & Repairs	-	-	-	
Contract Services-Regularly Scheduled	3,500	-	(3,500)	-100.00%
Copier Service	3,800	3,500	(300)	-7.89%
Cost of Elections	7,000	7,500	500	7.14%
Council Stipends	3,300	3,300	-	0.00%
Dues and Membership Fees	1,670	1,670	-	0.00%
Employee Appreciation	3,506	-	(3,506)	-100.00%
Facility Maintenance	1,000	1,500	500	50.00%
Federal Payroll Taxes - FICA	6,886	7,143	257	3.73%
Health Insurance	11,583	11,500	(83)	-0.72%
Liability Insurance - General Liability	4,012	4,012	-	0.00%
Memorials & Tributes	960	-	(960)	-100.00%
Miscellaneous Expense	1,060	-	(1,060)	-100.00%
Office Supplies	750	-	(750)	-100.00%
Physicals, 5P Screenings, etc.	-	500	500	
Salaries and Wages	90,000	90,000	-	0.00%
Software Maintenance Agreements	28,180	55,000	26,820	95.17%
Telephone & Internet Services	4,000	4,000	-	0.00%
Training and Education	2,040	2,500	460	22.55%
Travel Expense	2,260	2,500	240	10.62%
Fire				
Capital Expenditures	-	-	-	
Cellular Phones & Pagers	600	600	-	0.00%
Chemicals	1,000	1,000	-	0.00%
Dues and Membership Fees	1,000	1,000	-	0.00%
Equipment Purchases	5,000	-	(5,000)	-100.00%
Fire Hydrant Inspections	3,000	3,000	-	0.00%
Fuel and Oil	2,500	2,500	-	0.00%
Liability Insurance - General Liability	12,221	12,221	-	0.00%
Medical Supplies	-	-	-	
Operating Supplies - Not Office	2,500	2,500	-	0.00%

Expense	FY 2024 Budget	FY 2025 Base Budget	YoY Variance	YoY Variance %
Telephone & Internet Services	3,380	3,380	-	0.00%
Training and Education	1,500	1,500	-	0.00%
Vehicle Maintenance	5,000	5,000	-	0.00%
Library				
Books, Movies, & Subscriptions	600	600	-	0.00%
Office Supplies	-	250	250	
Software Maintenance Agreements	-	-	-	
Telephone & Internet Services	-	250	250	
Municipal Court				
Federal Payroll Taxes - FICA	7,385	4,146	(3,239)	-43.86%
Health Insurance	23,166	11,500	(11,666)	-50.36%
Legal Expenses	2,000	2,000	-	0.00%
Office Supplies	3,000	3,500	500	16.67%
Prosecutor Expense	-	-	-	
Salaries and Wages	95,590	49,720	(45,870)	-47.99%
Software Maintenance Agreements	10,440	10,500	60	0.57%
State Court Costs Paid	72,400	72,400	-	0.00%
Training and Education	200	500	300	150.00%
Travel Expense	-	-	-	
Non-Departmental				
Cash (Over)/Short	-	-	-	
Employee Appreciation	-	7,000	7,000	
I&S Debt	124,063	185,915	61,852	49.86%
Interfund Transfer Out	66,150	-	(66,150)	-100.00%
Legal Expenses	30,000	65,000	35,000	116.67%
Past Due IRS Tax Liability	67,615	-	(67,615)	-100.00%
Postage Fees & Subscriptions	100	750	650	650.00%
Transfer from GF to I&S	116,600	185,915	69,315	59.45%
Parks and Recreation				
Equipment Purchases	-	-	-	
Federal Payroll Taxes - FICA	-	2,132	2,132	
Salaries and Wages	21,000	21,000	-	0.00%
Police				
Advertising & Legal Notices	-	500	500	
Animal Control	1,200	-	(1,200)	-100.00%
Blue Santa Expenses	-	-	-	
Capital Expenditures	11,000	-	(11,000)	-100.00%
Cellular Phones & Pagers	2,530	3,600	1,070	42.29%
Code Abatement	-	-	-	
Code Enforcement Related Expenses	-	-	-	
Community Development &	7,000	7,000	-	0.00%

Expense	FY 2024 Budget	FY 2025 Base Budget	YoY Variance	YoY Variance %
Support				
Contract Services-Regularly Scheduled	6,000	-	(6,000)	-100.00%
Dues and Membership Fees	500	500	-	0.00%
Employee Appreciation	-	-	-	
Equipment Maintenance	5,200	5,500	300	5.77%
Equipment Purchases	5,000	-	(5,000)	-100.00%
Federal Payroll Taxes - FICA	15,910	20,346	4,436	27.88%
Fuel and Oil	13,360	13,360	-	0.00%
Health Insurance	46,613	11,500	(35,113)	-75.33%
Liability Insurance - General Liability	12,260	12,260	-	0.00%
Office Supplies	4,750	2,500	(2,250)	-47.37%
Operating Supplies - Not Office	4,650	5,000	350	7.53%
Physicals, 5P Screenings, etc.	-	500	500	
Postage Fees & Subscriptions	750	750	-	0.00%
Purchased Gas Power	750	750	-	0.00%
Salaries and Wages	223,810	251,148	27,338	12.21%
Software Maintenance Agreements	3,240	3,500	260	8.02%
Telephone & Internet Services	4,050	4,050	-	0.00%
Training and Education	2,620	2,500	(120)	-4.58%
Travel Expense	660	660	-	0.00%
Uniform Expense	2,420	2,420	-	0.00%
Vehicle Maintenance	5,500	5,500	-	0.00%
Public Works				
Chemicals	3,000	-	(3,000)	-100.00%
Equipment Maintenance	600	-	(600)	-100.00%
Equipment Purchases	-	-	-	
Equipment Rental	-	-	-	
Federal Payroll Taxes - FICA	1,553	-	(1,553)	-100.00%
Liability Insurance - General Liability	7,104	7,104	-	0.00%
Operating Supplies - Not Office	500	-	(500)	-100.00%
Salaries and Wages	20,160	-	(20,160)	-100.00%
Telephone & Internet Services	870	870	-	0.00%
Training and Education	800	500	(300)	-37.50%
Uniform Expense	400	4,500	4,100	1025.00%
Vehicle Maintenance	-	15,000	15,000	
Streets				
Engineering Services	-	-	-	
Equipment Maintenance	1,500	1,500	-	0.00%
Health Insurance	-	-	-	
Liability Insurance - General	771	771	-	0.00%

Expense	FY 2024 Budget	FY 2025 Base Budget	YoY Variance	YoY Variance %
Liability				
Street Repair & Maintenance	26,000	26,000	-	0.00%
Development Services				
Federal Payroll Taxes - FICA	-	3,432	3,432	
Health Insurance	-	11,500	11,500	
Salaries and Wages	-	41,496	41,496	
Expense Total	1,324,048	1,347,021	22,973	1.74%

UTILITY FUND

UTILITY FUND SUMMARY

	FY 2024 Budget	FY 2025 Base Budget
Revenue Total	2,514,249.00	2,953,443.00
Expense Total	2,247,273.00	3,249,358.00
	266,976.00	(295,915.00)

REVENUE BY DEPARTMENT – UTILITY FUND

	FY 2024 Budget	FY 2025 Base Budget	YoY Variance
Revenue	2,514,249.00	2,953,443.00	439,194.00
Electric	1,460,200.00	1,675,000.00	214,800.00
Garbage	235,149.00	278,443.00	43,294.00
Non-Departmental	116,200.00	125,500.00	9,300.00
Sewer	256,500.00	312,500.00	56,000.00
Water	446,200.00	562,000.00	115,800.00

EXPENSE BY DEPARTMENT – UTILITY FUND

	FY 2024 Budget	FY 2025 Base Budget	YoY Variance
Expense	2,247,273.00	3,249,358.00	1,002,085.00
Electric	1,189,081.00	1,291,011.00	101,930.00
Garbage	-	225,000.00	225,000.00
Non-Departmental	402,995.00	749,406.00	346,411.00
Public Works	3,000.00	5,000.00	2,000.00
Sewer	87,610.00	216,750.00	129,140.00
Water	564,587.00	762,191.00	197,604.00

Expense	FY 2024 Budget	FY 2025 Base Budget	YoY Variance	YoY Variance %
Electric				
Municipal Light & Power	1,443,200	1,650,000	206,800	14.33%
Utility Connection Fees	-	-	-	
Utility Penalties	17,000	25,000	8,000	47.06%
Garbage				
Solid Waste	235,149	278,443	43,294	18.41%
Utility Penalties	-	-	-	
Non-Departmental				
Franchise Fees	50,000	50,000	-	0.00%
Utility Connection Fees	6,000	3,000	(3,000)	-50.00%
W/WWTP IMPRV LOAN REPAYMENT	60,200	72,500	12,300	20.43%
Sewer				
Utility Connection Fees	10,000	12,000	2,000	20.00%
Utility Penalties				
Wastewater	246,500	300,500	54,000	21.91%
Water				
Utility Connection Fees	10,000	12,000	2,000	20.00%
Utility Penalties				
Water	436,200	550,000	113,800	26.09%

Revenue Total	2,514,249	2,953,443	439,194	17.47%
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Sources and Revenue	FY 2024 Budget	FY 2025 Base Budget	YoY Variance	YoY Variance %
Electric				
Cellular Phones & Pagers	630	500	(130)	-20.63%
Contract Services- Emergency	30,000	50,000	20,000	66.67%
Contract Services-Regularly Scheduled	90,000	100,000	10,000	11.11%
Electric Meters	-	65,000	65,000	
Engineering Services	40,000	50,000	10,000	25.00%
Federal Payroll Taxes - FICA	8,320	10,051	1,731	20.81%
Fuel and Oil	15,000	15,000	-	0.00%
Health Insurance	23,156	22,400	(756)	-3.26%
Liability Insurance - General Liability	25,620	25,620	-	0.00%
Light and Power	12,000	-	(12,000)	-100.00%
Lines, Poles, & Transformers	88,095	100,000	11,905	13.51%
Medical Supplies	500	250	(250)	-50.00%
Meter Testing	-	500	500	
Office Supplies	300	-	(300)	-100.00%
Operating Supplies - Not Office	1,500	25,000	23,500	1566.67%
Purchased Power	530,000	575,000	45,000	8.49%
Salaries and Wages	118,680	166,400	47,720	40.21%
Software Licenses	240	250	10	4.17%
TCOS	180,000	60,000	(120,000)	-66.67%
Tools & Non-Capital Equipment	2,000	2,000	-	0.00%
Training and Education	15,000	15,000	-	0.00%
Uniform Expense	3,040	3,040	-	0.00%
Vehicle Maintenance	5,000	5,000	-	0.00%
Garbage				

Sources and Revenue	FY 2024 Budget	FY 2025 Base Budget	YoY Variance %
-			
Contract Services-Solid Waste Collection	-	225,000	225,000
Non-Departmental			
Federal Payroll Taxes - FICA	2,982	3,569	587 19.68%
Franchise Fees	-	-	-
Health Insurance	11,583	11,200	(383) -3.31%
Interfund Transfer Out	267,375	421,000	153,625 57.46%
Office Supplies	3,000	7,250	4,250 141.67%
Operating Supplies - Not Office	100	-	(100) -100.00%
Salaries and Wages	39,785	42,640	2,855 7.18%
Software Licenses	240	250	10 4.17%
Transfer from Utilities to I&S	77,930	263,497	185,567 238.12%
Public Works			
Vehicle Maintenance	3,000	5,000	2,000 66.67%
Sewer			
Chemicals	2,000	2,500	500 25.00%
Contract Services- Emergency	2,000	50,000	48,000 2400.00%
Contract Services-Regularly Scheduled	1,100	45,000	43,900 3990.91%
Engineering Services	5,000	25,000	20,000 400.00%
Equipment Maintenance	1,000	1,000	- 0.00%
Equipment Purchases	-	2,500	2,500
Equipment Rental	-	-	-
Fuel and Oil	6,600	-	(6,600) -100.00%
Medical Supplies	500	250	(250) -50.00%
Meter Testing	-	500	500
Office Supplies	250	-	(250) -100.00%

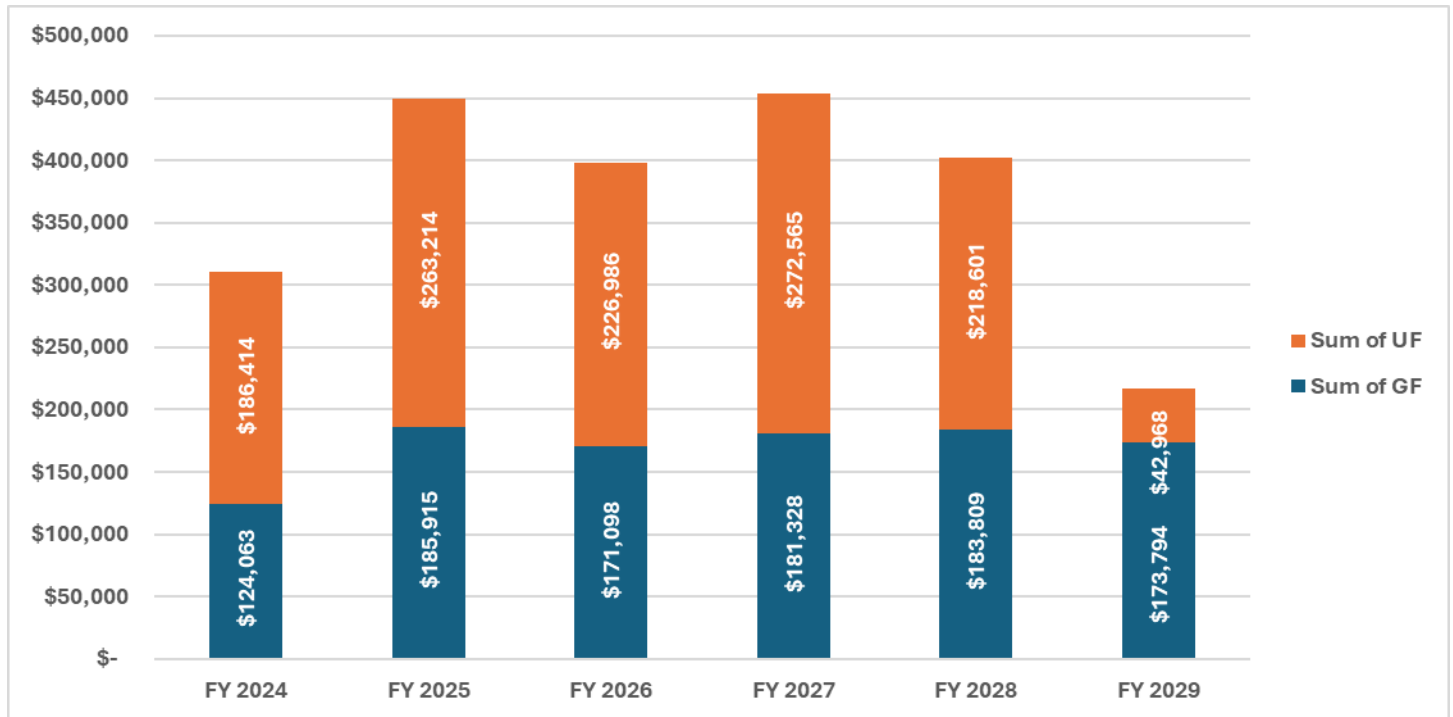
Sources and Revenue	FY 2024 Budget	FY 2025 Base Budget	YoY Variance	YoY Variance %
Operating Supplies - Not Office	1,000	45,000	44,000	4400.00%
Sample Analysis	16,800	16,800	-	0.00%
Telephone & Internet Services	1,200	1,200	-	0.00%
Tools & Non-Capital Equipment	1,000	2,000	1,000	100.00%
Transfer from Utilities to I&S	47,160	-	(47,160)	-100.00%
Vehicle Maintenance	2,000	-	(2,000)	-100.00%
Wells, Lines, & Meters	-	25,000	25,000	
Water				
Capital Expenditures	12,950	-	(12,950)	-100.00%
Cellular Phones & Pagers	1,500	2,000	500	33.33%
Chemicals	12,000	18,000	6,000	50.00%
Contract Services- Emergency	-	50,000	50,000	#DIV/0!
Contract Services-Regularly Scheduled	42,702	45,000	2,298	5.38%
Engineering Services	5,000	25,000	20,000	400.00%
Equipment Maintenance	500	500	-	0.00%
Equipment Rental	-	-	-	
Federal Payroll Taxes - FICA	18,960	28,556	9,596	50.61%
Fuel and Oil	10,000	15,000	5,000	50.00%
Health Insurance	57,865	78,401	20,536	35.49%
Meter Testing	-	500	500	
On-Call Compenssation	-	10,000	10,000	
Operating Supplies - Not Office	2,000	45,000	43,000	2150.00%
Salaries and Wages	320,690	347,584	26,894	8.39%
Sample Analysis	2,500	2,500	-	0.00%
Software Licenses				4.17%

Sources and Revenue	FY 2024 Budget	FY 2025 Base Budget	YoY Variance %
	240	250	10
TCEQ Fines & Penalties	-	-	-
Telephone & Internet Services	480	480	- 0.00%
Tools & Non-Capital Equipment	2,000	2,000	- 0.00%
Training and Education	2,000	2,500	500 25.00%
Transfer from Utilities to I&S	29,880	-	(29,880) -100.00%
Travel Expense	-	-	-
Uniform Expense	3,920	3,920	- 0.00%
Utilities Electrical	-	-	-
Water Tank Repair and Maintenance	39,400	40,000	600 1.52%
Wells, Lines, & Meters	-	45,000	45,000
Expense Total	2,247,273	3,249,358	1,002,085 44.59%

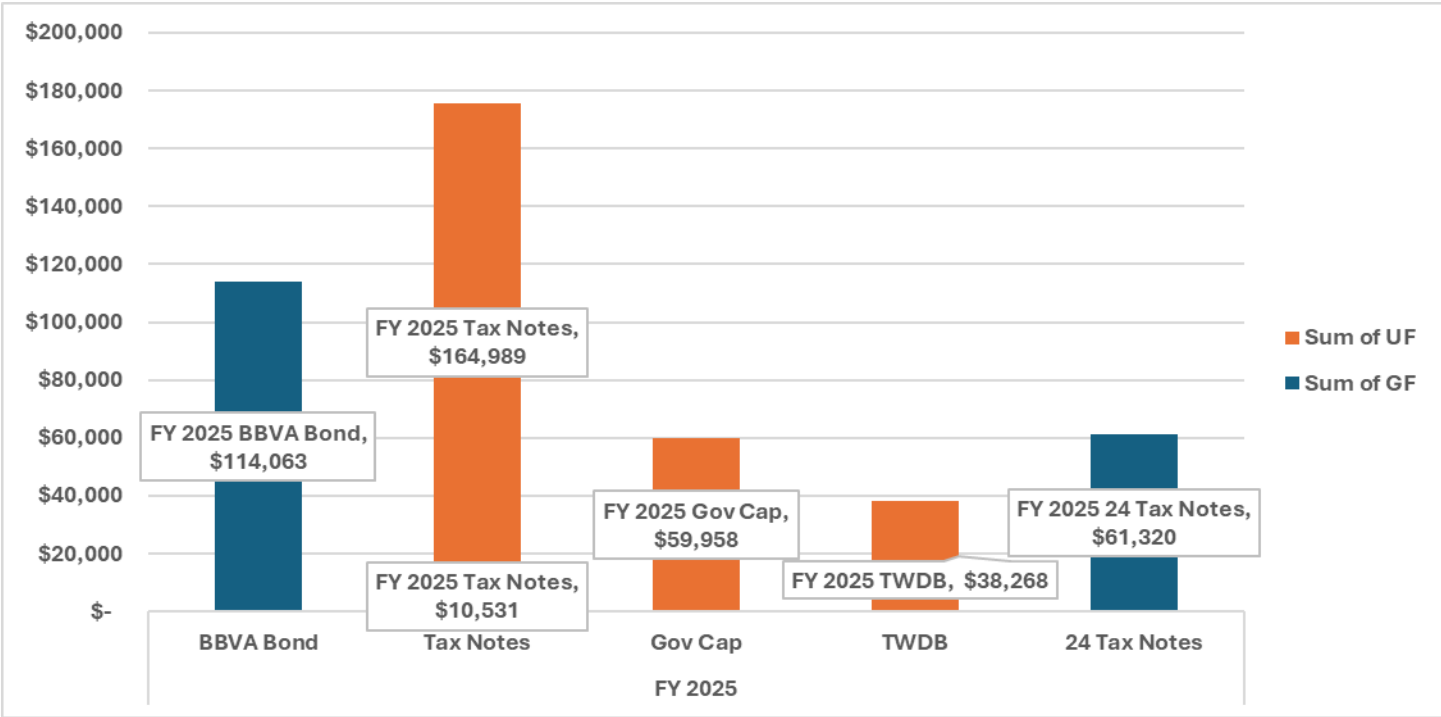
DEBT FUND

Debt	FY 2024 Budget	FY 2025 Base Budget	YoY Variance	YoY Variance %
Revenue				
Non-Departmental				
Interest Income - Debt Service		1,500.00	1,500.00	
Transfer to Debt Service Fund	310,477.00	449,412.00	138,935.00	44.75%
Expense				
Non-Departmental				
I&S Debt	310,477.00	449,412.00	138,935.00	44.75%

DEBT MULTIYEAR – UTILITY FUND AND GENERAL FUND



FY 2025 DEBT PAYMENTS



HOTEL OCCUPANCY TAX FUND

Debt	FY 2024 Budget	FY 2025 Base Budget	YoY Variance	YoY Variance %
Revenue				
Special Revenue				
Hotel Occupancy Tax	1,200.00	5,000.00	3,800.00	316.67%

CAPITAL IMPROVEMENT PROJECT FUND

Beginning Fund Balance	1,799,500.00
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Sources and Revenue	FY 2024 Budget	FY 2025 Base Budget
24 Tax Note	121,400.00	-
ARPA - CITY	218,435.33	218,435.33
ARPA - WILCO	750,000.00	-
EDAP - Projected	-	500,000.00
FEMA - Generators Wells and FS	-	405,043.00
FEMA - Generators WWTP and Evie LS	-	236,151.00
Remaining Tax Notes	49,500.00	
SRTS	637,000.00	-
TWDB	1,750,000.00	-
TWDB - Projected	-	16,000,000.00
	3,526,335.33	17,359,629.33

Expense	FY 2024 Budget	FY 2025 Base Budget
Construction WWTP and WW Improvements	-	6,000,000.00
Design WWTP and WW Improvements	250,000.00	1,500,000.00
FEMA - Generators Wells and FS	-	450,048.00
FEMA - Generators WWTP and Evie LS	-	262,390.00
Line Work at Water Plant	-	60,900.00
Manhole Replacements (Brooks)	-	320,000.00
SRTS	637,000.00	-
Water Line Replacements	-	500,000.00
Water Plant Phase 1 - EST	145,000.00	-
Water Plant Phase 2 - GST	305,000.00	-
Water Plant Phase 3 - Pumps	300,000.00	-
	1,637,000.00	9,093,338.00

Ending Fund Balance	1,799,500.00	10,065,791.33
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AGENDA ITEM #:

2

**CITY OF BARTLETT, TEXAS
RESOLUTION NO. 20240527-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BARTLETT,
TEXAS ADOPTING A PERSONNEL MANUAL FOR THE CITY OF
BARTLETT; PROVIDING FOR THE INCORPORATION OF PREMISES;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Bartlett, Texas has previously adopted an official Personnel Manual to govern employment matters; and

WHEREAS, the City Council finds that reviewing and revising the official Personnel Manual from time to time is a sound business practice and is in the best interest of the City, its employees and the citizens of Bartlett.

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

SECTION 1. The above and foregoing premises are true and correct and are incorporated herein and made part hereof for all purposes.

SECTION 2. The City Council of the City of Bartlett hereby adopt amendments and revisions to the City of Bartlett Personnel Manual, attached hereto, and incorporated as if set forth fully herein as Exhibit "A."

SECTION 3. This Resolution shall take effect immediately from and after its passage.

PRESENTED AND PASSED by the City Council of the City of Bartlett, Texas, this the 27th day of May, 2024.

Chad Mees, Mayor

ATTEST:

Brenda Kelley
City Clerk

City of Bartlett *Personnel Manual*



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Article I. Policy Objective, Applicability, and Dissemination

Section 1.01. Policy Objective

The principle objective of the City of Bartlett's (the "City") personnel policies, as set forth in the City of Bartlett Personnel Manual (the "Manual"), is to promote professionalism and to provide a fair and equitable system of personnel management. These policies address the City's general overarching policies for personnel management, while providing limited flexibility to resolve issues not specifically addressed herein.

Section 1.02. Applicability

- (a) Notwithstanding federal, State, or other superior law, these policies apply to all officers and employees of the City; and
- (b) The Manual supersedes all policies, expressed or implied, in verbal or written form, and compliance is compulsory; and
- (c) The City reserves all rights to interpret, amend, and revise the Manual when deemed as necessary at the recommendation of the Mayor, and shall be enforceable, subject to the provisions set forth in Section IX, Complaint and Grievance Procedures; and
- (d) Words used in the masculine or feminine form, are used as gender neutral and applicable to either.

Section 1.03 Dissemination of the Manual

- (a) The City Secretary shall maintain a master of the Manual and ensure each Department Head maintains a current and verbatim copy of same; and
- (b) Each Department Head shall:
 - (i) cause each employee to receive a copy of the Manual, and to sign an acknowledgment indicating such receipt; and
 - (ii) inform each employee that they are responsible for being familiar with and accountable to the policies set forth herein and all subsequent changes; and
 - (iii) ensure changes are properly posted in the department's master copy, and that all department officers and employees are made aware of changes to the Manual; and
- (c) All officers and employees are responsible for becoming familiar with the Manual and have a right to review the master Manual, during the City's normal business hours.

Article II. Principal Provisions

Section 2.01. Code of Ethics

Officers and employees of the City hold their positions to serve and benefit all the Citizens of the City, and not for obtaining unwarranted benefit in the exercise and performance of their official powers and duties.

Officers and employees must acknowledge that they are representatives of the City and in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. These canons establish the altruistic standards for all officers and employees of the City:

- (a) Officers and employees must strive to uphold the Constitution and laws of the United States, the State of Texas, and the City; and
- (b) Officers and employees must not use, or permit to be used, their official position or duties for personal gain, that of a relative, or any ~~third party~~third-party entity; and
- (c) Officers or employees must disclose any interest which may be in conflict, or give the appearance of conflict, with any matter that might come before the City; and
- (d) Officers and employees may not acquire any interest in any venture which is, or may be construed, as being in conflict with their official capacities; and
- (e) Officers and employees must not solicit, accept, give, or promise any thing of value, nor will any officer or employee directly, or indirectly, induce another to solicit, accept, give, or promise any thing of value for personal or political gain:
 - (i) Officers and employees may accept gifts with a token value of less than \$25.00, but must report such acceptance to their Department Head and such report will be noted in the officer or employee's personnel jacket; and
- (f) Officers and employees must be honest, trustworthy, and accountable in all that they say, write, and in all professional relationships; and
- (g) Officers and employees must be committed to accomplishing all tasks in a superior way, and abstaining from all behaviors that may tarnish the image of the City; and
- (h) Officers and employees must be dedicated to providing quality services by being cooperative and constructive, and by making the best and most efficient use of available City resources; and
- (i) Officers and employees must be fair and considerate in the treatment of fellow officers, employees, and Citizens, addressing concerns and needs without bias; and
- (j) No officer or employee may take, ~~acquire~~acquire, or purchase any property of the City, of any nature or kind whatsoever, for ~~himself~~them or any other person; this subsection shall not prohibit any employee from bidding on surplus City property at a properly noticed public auction authorized by the City of Bartlett City Council (the "Council"); and
- (k) Officers and employees must be aware, and recognize that policy decisions are ultimately the responsibility of the Council.

Section 2.02. Organization of Personnel

- (a) As the Chief Executive Officer of the City, the Mayor of the City of Bartlett (the “Mayor”) or ~~his~~their designee is responsible for the administration of the personnel program and shall establish policies for the ~~day-to-day~~day-to-day management of the City which are ~~not inconsistent~~consistent with the Manual; and
- (b) The ~~Mayor~~City Administrator shall advise the Council on personnel matters and recommend changes in the personnel policies, rules, regulations, and any other changes which the Mayor may deem necessary; and
- (c) The ~~Mayor~~City Administrator shall serve as the Department Head for department heads, all senior staff officers and ~~staff~~ employees, and may discipline any employee of the City, up to and including termination, except the Chief of Police and Fire Chief, which the Mayor may discipline, up to and including indefinite suspension without pay; and
- (d) The Council, through the budget process as set forth in Texas Local Government Code, §§ 102 and 141, shall set the compensation of all officers and employees, in consideration of the Mayor's recommendations; and
- (e) The Council, as the quasi-judicial review board, shall serve as the final authority for the City in all disciplinary actions when warranted by the policies set forth in the Manual; and
- (f) Department Heads shall serve as the first level of senior supervision, and are expected to effectively supervise their employees to maintain positive working relationships and to ensure employee compliance with the Manual; and
- (g) Department Heads shall manage their respective department; to that end, and subject to the rights of employees to appeal, Department Heads:
 - (i) shall set the example for all subordinates on behavior and compliance with the Manual; and
 - (ii) may adopt and enforce departmental policies and regulations that are not inconsistent with the Manual or superior law, and are approved by the Mayor; and
 - (iii) shall report on the efficiency of their subordinates to the Mayor; and
 - (iv) shall have the authority to employ, reassign, and terminate employees within their respective departments, subject to the limits of the approved budget and coordination with the Mayor.

Article III. Applications and Conditions of Employment

Section 3.01. Equal Employment Opportunity and Americans with Disability Act Policy

The City is committed to equal opportunities for all and respects and values the diversity among all our officers and employees, and all those with whom we do business, therefore, the City must ensure business activities are free of all forms of discrimination and harassment.

As such, all activities such as hiring, promotions, and compensation of employees, will be conducted without regard to age, color, disability, gender, gender identity or expression, genetics, marital status, national origin, race, religious or political perspective or affiliation, or sexual orientation. These business activities and administration of officer and employee benefit plans comply with all applicable laws.

For qualified people with disabilities, the City makes workplace accommodations that make all efforts to comply with applicable laws, and which the City determines are reasonable and needed for effective job performance.

Where specific age, sex, or physical or mental requirements constitute a necessary or mandatory occupational qualification, appropriate consideration of such factors is permitted.

Any officer or employee who feels they have been discriminated against, should defer to Section IX, Complaint and Grievance Procedures.

Section 3.02. Nepotism

- (a) No person related within the third degree of consanguinity or the second degree of affinity, to the Mayor, any member of the City Council, Department Head, or the hiring authority, shall be employed in or appointed to any office, position, other service, or award of contract (Appendix 1); and
- (b) No person related within the third degree of consanguinity or the second degree of affinity, shall be employed or appointed to positions in the same department; and
- (c) Notwithstanding any superior law, Department Heads who believe an appointment is justified by extraordinary circumstances, may petition the Council for an exception, which must be approved by a two-thirds majority of the Council; and
- (d) Officers and employees are required to notify their department head when a conflict with this section arises; and
- (e) The prohibitions of Sections 3.02(a), (b), and (c) shall not apply to any person who was employed by the City prior to the time of election or appointment of the official related within a prohibited degree.

Section 3.03. At Will Employer

All non-elected officers and employees are hired for an indefinite period of time, and the City, officer, or employee is free to terminate their relationship at will, with or without cause, at any time.

Section 3.04. Disclosure of Potentially Discriminatory Information

In the course of evaluating potential employees and responding to mandatory demographic criteria, employees and applicants may be required to provide personal information. Requests for personal information, as covered under Section 3.01, will only be collected to fulfill mandatory demographic reporting criteria or facilitate City programs.

Such information will be protected according to applicable law, and no appointment to, or removal from, a position with the City shall be directly or indirectly influenced by the misuse of any information requested or obtained for permitted uses.

Employees and applicants may decline to respond; however, such declination, may result in the employee or applicant being denied continued employment, consideration, or benefits.

An employee or applicant should defer to Article IX, Complaint and Grievance Procedures, if they believe personal information was used in a discriminatory manner.

Section 3.05. General Basis of Employment

All positions within the City shall be based on work related qualifications:

- (a) Education, training, licenses, certifications, and work experience as listed on the application and applicant provided documentation; and
- (b) Position related written and performance tests; and
- (c) Position related physical ~~and psychological~~ examinations, and drug panel screening; and
- (d) Appropriate background checks for conviction of crimes involving moral turpitude, felonies, credit history, and moving traffic violations; and
- (e) Reference checks.

Section 3.06. Application and Pre-Employment Selection

- (a) When directed by the Mayor, the City Secretary shall post vacant positions to be filled for no less than two (2) weeks in the official newspaper, or on the City web site, or at City Hall, and or in other media deemed appropriate by the Mayor and ~~Department Head~~ City Administrator; and
- (b) All applications will be accepted and all persons seeking employment will be required to complete and submit an official application to the City Secretary; and
- (c) Application forms will be secured until the filing deadline. The City Secretary shall retain a copy and forward all original applications to the appropriate Department Head; and
- (d) Potentially eligible candidates will be selected from among the applications submitted and the City Secretary shall obtain a basic criminal history, and the Department Head shall check references; and
- (e) If an interview is warranted, the Department Head shall schedule with the candidate; however, offers of employment, formal, conditional, or otherwise, ~~can not~~ may not be made at the time of the interview; and

- (f) The candidate must present a driving history, copies of applicable licenses and certifications, and other necessary documentation at the time of the interview; and
- (g) After all interviews are taken, if the City Administrator and the Department Head determines that a candidate is acceptable and meets the qualifications of the position, the Department Head may extend a conditional offer of employment and schedule the candidate for any mandated pre-employment physical and psychological examinations; and
- (h) In accordance with the City's Zero Tolerance policies, all candidates who are given conditional offers, must undergo drug panel screenings (see Appendix 4 – Controlled Substance Testing Protocol).

Section 3.07. Disqualification from Consideration

The Mayor, City Administrator, or the Department Head of the applicable department may reject any application, which indicates, on its face, that the applicant:

- (a) does not meet the experience, licensing and certification, and education requirements set forth in the job description; or
- (b) appears to have made false statements on the application or appears to have been deceptive in any manner during the recruitment process; or
- (c) is limited by the provisions of any retirement plan; or
- (d) the applicant refuses to provide mandatory employment information; or
- (e) cannot or will not comply with the City's policies, rules and regulations; or
- (f) the applicant was an officer or employee of the City, in any capacity, or contracted, in any capacity, with the City, within the last year of the date of application.

Section 3.08. Appointments

- (a) Qualified officers and employees shall be given hiring preference; and
- (b) No formal offers of employment are to be extended prior to completion of the entire recruitment process; and
- (c) Upon acceptance of the formal offer of employment, the City Secretary shall coordinate a start date with the new officer or employee to review, verify, and complete all employment records and enrollment forms. The City Secretary Administrator shall also give the employee a copy of the Manual and notify the Department Head the new officer or employee is eligible to begin work; and
- (d) Excepting positions requiring licenses or certifications, if no candidate possessing the minimum qualifications, or if no candidate accepts the formal employment offer, the vacant position may be filled by an unqualified applicant at the appropriate pay scale level; and
- (e) Officers and employees who apply for open positions, are subject to all the terms and provisioning of that position and are not entitled to retain current compensation.

Section 3.09. Emergency Response Time

All employees who are required to respond to off duty situations, must reside no more than thirty (30) minutes travel time to the City.

Section 3.10. Fitness of Duty

- (a) Department Heads may require an employee to submit to an examination by a City approved physician when it appears that the physical or mental condition of an employee may prohibit the employee from adequately performing the employee's job duties, and may constitute threat or hazard to themselves, other ~~officers~~officers, and employees, Citizens, or property; and
- (b) The employee shall be granted administrative leave during the examination and without expense to the employee, for the sole purpose of determining the officer or employee's fitness for duty; and
- (c) The examining physician shall make a recommendation as to whether the officer or employee should be continued in the ~~present~~ position, be considered for a leave of absence, or otherwise not be continued in the present position; and
- (d) The officer or employee shall authorize the physician to disclose the recommendation to the Department Head, who will determine an appropriate response.

Section 3.11. Resignation

- (a) An officer or employee who has reason to leave the employment of the City must give notice to the officer or employee's department head before the effective date of the resignation.
- (b) Such notice may be verbal or in writing.
- (c) No officer or employee may be employed by the City, in any capacity, or contract with the City, for a period of not less than one (1) year following the officer or employee's resignation.

Section 3.12. Retirement

- (a) All regular full-time officers and employees are required to become members of the Texas Municipal Retirement System (the "TMRS"). Accidental death and disability benefits are also incorporated into this retirement plan should an officer or employee become qualified for benefits prior to retirement.
- (b) TMRS provides eligible officers and employees with retirement benefits based on the City's five (5) year vesting plan, with retirement at or after age 60, or at any age after five (5) years of participation in the TMRS plan.
- (c) Funds contributed by the employee may only be withdrawn upon retirement or resignation. Only the employee's contributions, plus interest, if any, are refunded when an employee resigns or retires and elects to withdraw ~~his~~their contribution.
- (d) Full details of the retirement plan are outlined in the TMRS Handbook.

Section 3.13. Requests for Employment Verification

- (a) Information regarding the employment of all current and former City officers and employees, must be made by written request to the City Secretary Administrator or Chief of Police.
- (b) In the absence of a written release signed and witnessed therefor by the current or former officer or employee, only the following information may be released:
 - (i) The dates the officer or employee began and ended employment with the City; and
 - (ii) The officer or employee's beginning and ending salary or wage rates; and
 - (iii) The positions held by the officer or employee while employed by the City; and
 - (iv) As permitted under Texas Labor Code § 103, the Department Head may respond to requests from a prospective employer regarding performance of a current or former officer or employee.

Section 3.14. Non-City Occasional and Part-Time Employment

- (a) Officers and employees shall consider their employment with the City as the officer or employee's primary employer; and
- (b) Department Heads shall approve occasional and part-time employment, whether voluntary or compensated, if the work does not constitute a conflict of interest, does not interfere with the officer or employee's normal duties, and does not involve the use of City resources; and
- (c) Injuries and disabilities sustained during occasional and part-time employment, must be reported to the City within seventy-two (72) hours, and may not be covered by the City's benefits program.

Section 3.15. Lay Off

The City may lay off an officer or employee as a result of changes in duties or organization, or lack of work or funds. A two (2) week written notice of impending lay-off shall be given prior to the effective date of the lay-off and no other notice will be necessary.

[Section 3.16](#)

The City strives to maintain a workplace environment that functions well and is free from unnecessary distractions and annoyances. As part of that effort, the company requires employees to maintain a neat and clean appearance that is appropriate for the workplace setting and for the work being performed. Natural hair styles and textures are permitted, but Department heads may determine and enforce guidelines for workplace-appropriate attire and grooming for their areas.

[Procedures](#)

All City employees are expected to present a professional, businesslike image to clients, visitors, customers and the public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with the City.

Supervisors should communicate any department-specific workplace attire and grooming guidelines to employees during new-hire orientation and evaluation periods. Any questions about the department's guidelines for attire should be discussed with the employee's immediate supervisor.

Any staff member who does not meet the attire or grooming standards will be subject to corrective action and may be asked to leave the premises to change clothing. Hourly paid staff members will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards.

Specific requirements

Certain employees may be required to meet special dress, grooming and hygiene standards, such as wearing uniforms or protective clothing, depending on the nature of their job. Uniforms and protective clothing may be required for certain positions, which the City will provide.

At the discretion of the department head, in special circumstances, such as during unusually hot or cold weather or during special occasions, employees may be permitted to dress in a more casual fashion than is normally required. On these occasions, staff members are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing or athletic wear. Likewise, tight, revealing or otherwise workplace-inappropriate dress is not permitted.

Reasonable accommodation of religious beliefs

The City recognizes the importance of individually held religious beliefs to persons within its workforce. The City will reasonably accommodate a staff member's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Accommodation of religious beliefs in terms of attire may be difficult in light of safety issues for employees. Those requesting a workplace attire accommodation based on religious beliefs should be referred to the City Administrator.

Article IV. Attendance and Leave

Section 4.01 Attendance

- (a) Officers and employees must be present at their designated workplace, and ready to perform assigned duties in accordance with the Manual regarding hours of work, holidays, and leaves; and
- (b) Department Heads shall keep daily attendance records of officers and employees within their department and ensure compliance with the Manual; and
- (c) All approved absences shall be reported on a leave form and turned in with the attendance records each pay period; and
- (d) If an officer or employee expects to be tardy or absent, the officer or employee must notify ~~his~~their supervisor or department head as soon as practical; failure to notify the supervisor or department head may result in disciplinary action.

Section 4.02. Hours of Operation

All general workplaces of the City, will be kept open continuously from 8:00 a.m. until 5:00 p.m., Monday through Friday, except for holiday closures authorized by the City; all other workplace hours of operation will be determined by appropriate policy.

Section 4.03. Vacation Leave

Vacation leave is earned by full-time officers and employees according to the following anniversary schedule:

- (a) First through fifth year anniversary – ~~forty-eighty~~ (840) hours; and
- (b) Sixth through ~~fourteenth-eleventh~~ year anniversary - ~~eighty-one hundred and twenty~~ (80120) hours; and
- (c) ~~Fifteenth-Twelfth~~Twelfth plus year anniversary – one hundred ~~twenty-sixty~~ (1620) hours; and
- (d) The hours earned, will be posted on each anniversary date; and
- (e) No officer or employee may accrue vacation leave in excess of eighty (80) hours. Vacation hours in excess of eighty (80) hours will be forfeited without pay; and
- (f) All other officers and employees may be granted vacation leave without pay.

Section 4.04. Sick Leave

- (a) All ~~full-time~~full-time officers and employees will be credited ~~forty-eighty~~ (4080) hours of sick leave per year; and
- (b) Sick leave will be credited to each ~~full-time~~full-time officer and employee immediately following successful completion of their initial probationary period, and upon their anniversary date thereafter; and
- (c) Sick leave is not discretionary leave and will only be used for an authorized absence involving an illness or injury, whether personal or involving their child who has not yet attained the age of eighteen (18) years of age and are still attending school; and

(d) Any absence of an officer or employee involving a claim for sick leave, whether

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compensated or not, for more than an officer or employee's standard workday, or carries over to the following day, must be verified by a qualified physician; and

- (e) Officers and employees who consistently use their sick leave as it is credited or who fail to accumulate sick leave are required to submit a doctor's statement in support of the alleged illness or injury; and
- (f) No officer or employee may accrue sick leave in excess of two hundred forty (240) hours. Sick leave hours in excess of two hundred forty (240) hours will be forfeited without pay.
- (g) All other officers and employees may be granted sick leave without pay and are subject to the same verification policies as ~~full-time~~full-time officers and employees.
- ~~(g)(h)~~ Officers and employees can submit a request to the City Administrator once all vacation leave has been used to convert up to one week of sick leave to vacation leave. This leave must be used before their anniversary date and cannot be rolled over.

Section 4.05. Military Leave

~~Military leave shall not exceed the time as shown on the officer or employee's military orders and will be governed pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 and Texas Government Code §437.202, LEAVE OF ABSENCE FOR PUBLIC OFFICERS AND EMPLOYEES. The City of Bartlett is committed to supporting its employees who serve in the United States Armed Forces and Texas National and State Guard. This policy outlines the provisions for military leave All employees who are members of the Texas or National Guard or Reserves of the United States Armed Forces are eligible for military leave under this policy. Eligible employees include those who serve in the uniformed services in a voluntary or involuntary basis, including active duty, active duty for training, initial active duty for training, inactive duty training, and full-time National Guard duty.~~

Paid Leave & Benefits For Training And Duty:

Full Pay For Up To 15 Days: By Section 437.202, Texas Government Code, employee engaged in active, duty, active, initial or inactive duty for training will receive pay and accrue benefits as if the employee were on the job for the City for up to 120 hours (fifteen workdays) in any one (1) year. The portion of any military leaves of absence over 120 hours per year will be unpaid. The paid leave days may be consecutive or scattered throughout the year.

Active Duty: Employees called to active duty military service under Title 10 of the United States are entitled to a leave of absence for the period of their military service. Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 USC Section 4301. Exempt employees should be paid for the entire week, if they worked during any portion of the week in which they reported for military duty pursuant to Title 10.

Notice To The City Of Need For Leave

Employees must provide as much advance written or verbal notice to the City as possible for all military duty (unless giving notice is impossible, unreasonable, or precluded by military necessity). Notice of military duty can be oral or written. See DOL regulation 20 C.F.R. § 1002.085 The basic documentation that can be furnished at the time of giving notice of military duty leave may take any format

Section 4.06. Family and Medical Leave Act (FMLA) Leave

The City does not meet the requirements of the Family and Medical Leave Act.

Section 4.07. ~~Maternity-Parental~~ Leave

- (a) Any employee is entitled to up to six (6) weeks of parental leave without loss of employment; and
- (b) Parental leave may be taken for the purpose of childbirth, bonding with the newborn, and recovery from childbirth-related medical conditions; and
- (c) Parental leave is not paid leave, except that accrued vacation and sick leave hours may be used concurrently with maternity leave, to offset any loss of pay.
- ~~(a) Any female employee is entitled to up to six (6) weeks of maternity leave without loss of employment; and~~
- ~~(b) Maternity leave is not paid leave, except that accrued vacation and sick leave hours may be used concurrently with maternity leave, to offset any loss of pay.~~

Section 4.08. Emergency and Bereavement Leave

- (a) Full time officers and employees may be granted emergency leave with pay for a period not to exceed three (3) days in case of death, traumatic injury, or severe illness of any member within the second degree consanguinity or affinity; and
- (b) All other officers and employees may be granted emergency leave without pay for a period not to exceed three (3) days in case of death, traumatic injury, or severe illness of any member within the second degree consanguinity or affinity.

Section 4.09. Severe Illness and Debilitating Injury Leave

- (a) A qualified physician's statement that the officer or employee, or a family member within the first (1st) degree of consanguinity or affinity, is unable to return to work or requires constant care, will be required for an employee to be authorized Severe Illness and Debilitating Injury leave; and
- (b) Such leave is without pay, except that vacation and sick leave may be used concurrently to offset any loss of pay; and
- (c) Leave resulting from or necessitated by any cause of severe illness or debilitating injury, will not exceed two hundred forty (240) hours; and
- (d) Any leave in excess of two hundred forty (240) hours constitutes an unusual hardship on the City and may result in termination of employment.

Section 4.10. Leave to Attend Voting, Jury Duty, Court Subpoenas

- (a) All officers and employees will be allowed one (1) hour of paid time to vote in federal, State, or local elections; and
- (b) Officers and employees called to jury duty will be paid, except that any compensation from such jury duty, will be deducted from the officer or employee's pay; and
- (c) Officers and employees called to testify on behalf of the City, will be paid for the actual hours giving such testimony.

Section 4.11. Leave of Absence

- (a) Officers and employees may request leave not otherwise addressed in the Manual; and
- (b) Such leave will be without pay; and
- (c) The City does not guarantee continued employment; and
- (d) Authorized leaves of absence with or without pay, will not exceed two hundred forty (240) hours per annum, except as allowed pursuant to any superior law.

Section 4.12. Absence Without Leave

- (a) No officer or employee may absent them from duty for any amount of time without the permission of the officer or employee's Department Head; and
- (d) Any such absence will be without pay and will subject the officer or employee to disciplinary action, up to and including termination.

Section 4.13 Paid Quarantine Leave Policy

(a) The City hereby adopts this paid quarantine leave policy for fire fighters, peace officers, detention officers, and emergency medical technicians who are employed by, appointed by, or elected to the City and ordered to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty.

(b) Definitions:

“Detention officer” means an individual appointed or employed by the City and whose job responsibilities include the care and custody of individuals incarcerated in the municipal jail.

“Emergency Medical Technician” means an individual who is employed by the City and certified as an emergency medical technician under Chapter 773, Health and Safety Code.

“Firefighter” means a paid employee of the City’s 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 at least one of the following functions: (i) fire suppression; (ii) fire prevention; (iii) fire training; (iv) fire safety education; (v) fire maintenance; (vi) fire communications; (vii) fire medical emergency technology; (viii) fire photography; (ix) fire administration; or (x) fire arson investigation.

“Health Authority” means a physician appointed by Williamson County to administer state and local laws relating to public health within the City's jurisdiction.

“Paid quarantine leave” means: (1) all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits provided by the City; and (2) if applicable, reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation costs.

“Peace officer” means police officers licensed by the Texas Commission on Law Enforcement and employed by the City.

(c) Quarantine Leave

A City firefighter, peace officer, detention officer, or emergency medical technician who is ordered to quarantine or isolate by a health authority due to a possible or known exposure to a communicable disease while on duty is entitled to receive paid quarantine leave for the duration of the leave.

(d) No Reduction in Compensation and Benefits

The City will not reduce a firefighter’s, peace officer’s, detention officer’s, or emergency medical technician’s sick leave balance, vacation leave balance, holiday leave, balance, or

other paid leave balance in connection with paid quarantine leave taken in accordance with this policy.

Section 4.14 Mental Health Leave Policy

This policy is intended to provide paid mental health leave to the City's eligible firefighters, police officers and emergency responders who experience a traumatic event in the scope of their employment.

Full-time, licensed peace officers, paid firefighters and emergency responders (including dispatchers) are eligible to request mental health leave.

An eligible peace officer or paid firefighter shall be entitled up to three (3) days of paid mental health leave per calendar year, based on a traumatic event experience within the scope of employment. Mental health leave shall not accrue.

A traumatic event means exposure to actual or threatened death, serious injury or sexual violence which is experienced by a peace officer or paid firefighter in the scope of the officer's or firefighter's duties by:

1. directly experiencing the event;
2. witnessing, in person, the event as it occurred to others; and
3. experiencing repeated or extreme exposure to aversive details of the event.

Traumatic events may include, but are not limited to, the following:

1. Incidents involving multiple casualties which may include shootings, traffic accidents or major disasters, including weather related events.
2. Line of duty death or suicide of a department member.
3. Officer(s) involved shooting of a person.
4. Response to or investigation of a death of an individual involving violence or neglect.

Stressful events (e.g., death of a loved one, divorce) not involving an immediate threat to life or physical injury in the scope of an officer's or firefighter's duties are not considered a traumatic event for the purposes of this policy.

To use leave, an eligible peace officer or firefighter must submit a written request to his or her supervisor or the highest administrative officer of the Police Department or Fire Department:

1. within three (3) days after experiencing a traumatic event in the scope of employment;
- or
2. if directed by a mental health professional.

The City shall keep requests for mental health leave and any medical information related to mental health leave under this policy confidential, except when disclosure is required to effectuate the leave or is required by law. The request to take leave shall be maintained in a file separate from the

employee's general personnel file.

An eligible peace officer's or firefighter's pay or accrued paid leave balance, including sick leave, vacation leave, holiday, or other paid leave, shall not be reduced for using mental health leave in accordance with this policy.

List of Mental Health Services in or serving Bartlett area:

Crosspoint Counseling
104 W. 4th Street
Taylor, TX 76574
512.352.3207
dvolek@cross-pointcounseling.com

Garner Counseling and Wellness
325 N. Main St.
Belton, TX 76513
(254)933-2273
wellness@gardnercounseling.com

Community Counseling Center
515 N Penelope St
Belton , TX 76513
(254) 933-3306
cccenter1@sbcglobal.net

Section 4.15 Line of Duty Injury Leave

Line of duty injuries for paid Police, Fire and EMS shall be managed in accordance with Texas Local Government Code Chapter 177A. Paid Police, Fire and EMS workers who sustain a line-of-duty injury shall be provided with a leave of absence at full pay for a period commensurate with the nature of the line of duty illness or injury for up to one year from the date of injury. Full pay will be provided as Temporary Income Benefits received by the employee from the City's Worker's Compensation Insurance provider plus a supplemental wage to equal the employee's regular rate of pay at the employee's regular schedule. Full pay under this section does not include overtime, even if regularly incurred when the employee is actively working. At the end of the leave of absence, the City Council may extend the leave of absence at full or reduced pay in response to a request by the employee.

1. In the event the employee is temporarily disabled by a line of duty injury or illness and requires additional leave beyond the leave of absence and any extension granted by the City Council has expired, the person may use accumulated sick leave, vacation time and other accrued benefits before the employee shall be placed on temporary leave. Another firefighter, police officer or EMS employee, as applicable, may voluntarily do the work of the injured firefighter, police officer or EMS employee so that the temporarily disabled employee continues to receive wages and benefits while on temporary leave. In order to facilitate recovery, Employees on temporary leave are prohibited from working off-duty or ancillary jobs for other employers.

2. If able, a firefighter, police officer or EMS employee may return to light duty while recovering from a temporary disability. If medically necessary, the light duty assignment may continue for at least one year.

3. After recovery from a temporary disability, the employee shall be reinstated at the same rank and with the same seniority the employee held before going on temporary leave.

4. Should the employee be determined to be permanently disabled during any part of this process, and be unable to perform the essential functions of the employee's position with or without an accommodation, the department head --with the approval of the City Administrator /Mayor will make the necessary arrangements for the employee's retirement under the on-the-job disability clause of any coverage provided by the City, including the Texas Municipal Retirement System (TMRS).

Article V. Wages, Salary, and Other Compensation

Section 5.01. Pay Period

- (a) The City shall pay all officers and employees on a bi-weekly basis, beginning on Wednesday, and ending on the second Tuesday following; and
- (b) Salaried officers and employees will be paid an amount equal to their annual salary divided by the number of annual pay periods. Hourly officers and employees will be paid for the hours worked and due compensation; and
- (c) Department Heads must submit, by 12:00 p.m., attendance sheets the Wednesday immediately following the Tuesday ending the pay period, in order for ~~his~~their department officers and employees to receive pay on the Friday following the Tuesday ending the pay period; and
- (d) No officer or employee will be compensated for hours or benefits not earned.

Section 5.02. Overtime and Compensatory Time

- (a) All overtime must be approved by the Department Head. Overtime not approved will subject the officer or employee to disciplinary action; and
- (b) When permitted, one and one-half (1.5) hours shall accrue for all officers and employees electing compensatory time in lieu of overtime pay. When practical, all accrued compensatory time must be taken during the current pay period, otherwise such overtime will be paid, except exempt officers and employees who will forfeit such time and pay.

Section 5.03. On Call and Standby Pay

- (a) An officer or employee who volunteers or is required to remain on-call or standby on the City's premises, is engaged in productive hours; and
- (b) An officer or employee who volunteers or is required to remain on-call or standby at home or who is allowed to leave a message where ~~she~~they can be reached, is engaged in non-productive hours; and
- (c) Officers and employees on-call or standby, will have a response time of no more than thirty (30) minutes; and
- (d) Officers and employees will be compensated according to the City's approved budget.

Section 5.04. Lactation Policy

POLICY STATEMENT

The City of Bartlett supports new parents in our workforce and their choices when it comes to breastfeeding upon their return to work after a baby's arrival, recognizing that breast milk is the optimal food for growth and development of infants. This policy is to establish guidelines for promoting a breastfeeding-friendly work environment and supporting lactating employees for up to one (1) year following the birth of a child. The City supports the legal right and necessity of employees who choose to express milk in the workplace.

REASON FOR POLICY

The goals of this Policy include:

- To establish guidelines promoting a work environment that supports breastfeeding at the Bartlett.
- To acknowledge that employees have a right to lactation accommodation.
- To acknowledge the City's obligation to respond to lactation requests from employees.
- To acknowledge the employee's right to file a complaint with the U.S. Department of Labor Wage and Hour Division for any related violation.
- To comply with federal regulations under the Providing Urgent Maternal Protections for Nursing Mothers Act (the "PUMP Act") and other requirements per the Fair Labor Standards Act.

WHO SHOULD READ THIS POLICY

All employees – including all members of the [Leadership / Executive Team], employees inquiring about parental leave, all supervisors and managers, and all new and current employees.

POLICY TEXT

In accordance with the PUMP Act, breastfeeding employees will be provided breaks to express milk during working hours in a lactation space that meets minimum requirements described below. If possible, the break times shall run concurrently with the employee's scheduled break times. However, an employee's scheduled break time may not coincide with the employee's need to lactate or additional time may be necessary. Break times for lactation shall be unpaid only if a non-exempt employee is relieved of all duties and is not interrupted during their break. Exempt employees shall not be docked for such break time.

[With supervisory approval, a non-exempt employee may use personal leave, vacation time, sick leave, comp time, or a flexed work schedule to cover any nonpaid break time].

Section 5.054. Lectures, Meetings and Training

Approved attendance of lectures, meetings, and training programs, will be compensated as productive hours worked.

Section 5.065. Holiday Compensation

The City will observe the following official holiday closure schedule:

New Year's Day (January 1)
Martin Luther King, Jr. Day (Third Monday in January)

President's Day (Third Monday in February)
Memorial Day (Last Monday in May)
Independence Day (July 4)
Labor Day (First Monday in September)
Columbus Day (Second Monday in October)
Veterans Day (November 11)
Thanksgiving Day (Fourth Thursday in November)
Day after Thanksgiving (Fourth Friday in November)
Christmas Eve (December 24)
Christmas Day (December 25)

1 Personal holiday to be used within that year; the personal holiday does not carryover.

The following policies apply to all holidays and observances:

- (a) Department Heads shall give their officers and employees the opportunity to observe any holiday while still maintaining essential municipal functions. When not possible, Department Heads will ensure their officers and employees are offered alternative holiday time, which must be scheduled and taken within one (1) week of the holiday, whether before or after the holiday; and
- (b) For City observed holiday closures, full time, non-exempt officers and employees are entitled to receive pay equivalent to their standard work dayworkday hours; and
- (c) All other non-exempt officers and employees will be given holidays off without pay; and
- (d) In the event a full time, non-exempt employee of the City is required to perform duties on an official holiday closure and an alternative date is not possible, such officer or employee will be paid holiday pay in addition to actual hours worked; and
- (e) If an official holiday closure falls on a Saturday, the holiday will be observed the preceding Friday. If a holiday falls on Sunday, the holiday will be observed the following Monday; and
- (f) All officers and employees must work on the workday immediately preceding and immediately following a holiday, or will forfeit pay for the observed holiday; and
- (g) Observed holidays falling within a full-timefull-time officer or employee's approved leave of absence, will not be charged for the day of approved leave, but will be paid holiday pay instead; and
- (h) An officer or employee desiring to observe a religious holiday not observed by the City, must be afforded preference to all other officer and employee requests for leave.

Section 5.076. Longevity Bonus

All full-time officers and employees employed for at minimum one (1) year are eligible for an annual longevity bonus at a rate of two dollars (\$2.00)-five dollars (\$5.00) for each continuous month of service with the City, up to a maximum of two hundred forty (240) months. The longevity bonus pay will be awarded annually to all then current full-time officers and employees, as a lump sum, and will be included in the first pay period of December.

Section 5.087. Travel Expenses

- (a) All officers and employees will travel and be reimbursed based on the least and most reasonable costs to the City, as determined by the officer or employee, Department Head, and City ~~Secretary~~Administrator.
- (b) All officers and employees who travel to and from approved assignments, and when approved to use their own mode of transportation, will be paid mileage at the then current federal mileage rate, based on the shortest route.
- (c) If required, hotel accommodations will be arranged by the City Secretary. If circumstances dictate, accommodations will be reimbursed upon the submission of a receipt, and based on the lowest and most reasonable rates available as determined by the City Secretary.
- (d) Approved per diem will be paid at the rate of \$30.00 per day, and reduced subject to the following qualifications and per meal rates:
 - (i) Per diem will only be paid if the officer or employee is expected to be displaced from home for more than twenty-four (24) hours; and
 - (ii) Approved meals are those first occurring following the beginning of approved travel as determined by the Department Head:
 - (A) If travel is approved to start after 1000 hours, lunch is the first meal; or
 - (B) If travel is approved to start after 1400 hours, dinner is the first meal; or
 - (C) If travel is approved to start after 1900 hours, breakfast is the first meal; and
 - (iii) Breakfast - \$6.50; and
 - (iv) Lunch - \$10.50; and
 - (v) Dinner - \$13.00.

Section 5.098. Performance Appraisal System

The purpose of the system is to improve productivity, to provide better communications between supervisors and those they supervise, to identify needs for training or other remedial actions among the workers, and to provide the cultivation of skills and abilities. Evaluations are aides and will be:

- (a) completed by the Department Head on the City's approved form; and
- (b) completed at least once each year; and
- (c) completed at any other time an employee is being considered for promotion, is in need of remedial action, or immediately following the conclusion of disciplinary action; and
- (d) used in the consideration of promotion eligibility of officers and employees; and
- (e) used in the consideration of disciplinary actions.

Section 5.1009. Termination Pay

All employees who terminate employment with the City will receive all pay which may be due, subject to the following qualifications and exceptions:

- (a) All regular and overtime hours actually worked will be paid at the officer or employee's standard rate of pay; and
- (b) Except for reasons of disciplinary termination, officers and employees will be paid for unused vacation hours, up to eighty (80) hours, at their standard rate of pay; and
- (c) All unused sick leave hours are forfeited when an officer or employee separates from employment, except officers and employees who are laid off for economic reasons of the City, who will be paid for unused sick leave hours, up to eighty (80) hours, at their standard rate of pay; and
- (d) Reductions for amounts the employee owes the City or for substantiated damages resulting from negligent, malicious, or intentional acts of the officer or employee with respect to property or assets of the City.

Article VI. Benefits and Deductions

Section 6.01. Badges and Uniforms

- (a) The City will provide all officers and employees with badges to identify them as official City officers and employees.
- (b) Public Works officers and employees will be provided uniform shirts in order to assure a neat appearance and further identify the worker as a municipal employee.
- (c) Police officers will be provided uniforms in accordance with Council approved budgets.
- (d) Officers and employees provided with uniforms must wear, maintain, and return those uniforms upon separation.
- ~~(e) All other officers and employees must dress appropriately for the duties they are assigned.~~

Section 6.02. Insurance

- (a) Life and health insurance are provided to all full time officers and employees through a group insurance policy; and
- (b) This insurance is provided as by the City at no cost to the officer or employee; and
- (c) At the officer or employee's option and expense, dependent insurance coverage is also available; and
- (d) Coverage may be continued with certain limitations consistent with Texas state law. ~~the Consolidated Omnibus Budget Reconciliation Act (COBRA), upon termination, provided the premiums are paid entirely by the officer or employee.~~

Section 6.03. Retirement

All regular full-time officers and employees are required to become members of the Texas Municipal Retirement System (TMRS). Enrollment shall be accomplished in accordance with the TMRS guidelines. Details of the retirement plan are outlined in the TMRS handbook.

Section 6.04. Social Security

All officers and employees of the City are covered under the Federal Insurance Contributions Act (FICA). This government insurance alleges to provide retirement, disability, and death benefits and are funded through mandatory payroll deductions by the officer or employee and matched by the City.

Section 6.05. Unemployment Compensation

All employees of the City are covered, as applicable, under the State unemployment compensation program. This program provides payments for unemployed workers in certain circumstances as provided by law. The City pays an unemployment tax on behalf of each employee to finance this benefit.

Section 6.06. Worker's Compensation Insurance

The City participates in Worker's Compensation Insurance coverage for employees. When an employee is injured on-the-job the employee must immediately report the injury to ~~his~~their supervisor or department head.

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Article VII. Anti-Abuse Policies

Section 7.01. Sexual Harassment Policy

All employees should be able to enjoy a work environment free from all forms of unlawful discrimination, including sexual harassment.

- (a) Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is motivated in whole or in part by a person's sex, that is not welcome and is personally offensive, demeaning or degrading or that lowers morale and that, therefore, interferes with an employee's work effectiveness effectively becomes a term or condition of the workplace.
- (b) Sexual harassment is a form of misconduct that undermines the integrity of the employment relationship.
 - (i) No employee ~~either male or female~~ should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. A finding that an employee has committed any form of sexual harassment will result, at minimum, in a ~~written~~ warning being issued and placed in the employee's personnel file.
 - (ii) Additionally, nNo employee or officer of the City shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts or any other condition of employment or career development. A finding that an employee has committed any such form of sexual harassment will result in severe disciplinary action up to and including transfer, demotion, suspension, or termination from employment.
- (c) Sexual harassment occurs in many forms, including but not limited to, unwelcome physical contact, verbal abuse, leering, gestures, and more subtle advances and pressure inviting sexual activity. Such conduct includes instances in which:
 - (i) Submission to the advances is made a term or condition for obtaining employment opportunities or avoiding adverse employment action;
 - (ii) Submission to or rejection of the advances is used as the basis for making any employment decision; or
 - (iii) Such conduct interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Sexual harassment of any type is strictly prohibited and will not be tolerated. If any employee feels they are being sexually harassed, they should promptly report such fact and advise the harasser that the conduct is offensive and that it must stop immediately. If any such unwelcome interest or conduct does not cease immediately upon demand by the employee, or if the employee is not comfortable confronting the harasser, the employee should immediately must report the matter to the employee's supervisor ~~within twenty-four (24) hours~~. If such employee is either unable or unwilling to speak with ~~his~~their/~~her~~ supervisor about the alleged harassment, the conduct or incident must be reported directly to the next higher level of authority, the department head or the Mayor. Upon any supervisor, department head or officer, receiving a report of alleged sexual harassment,

the Mayor and all persons in the alleged offender's chain of command shall be advised of the report and appropriate action shall be promptly taken. The first action taken, in such event, shall include steps calculated to prevent reoccurrences of any such alleged incidents pending investigation and final resolution of the complaint. Each such report shall be investigated promptly and appropriate corrective action will be taken with the City Council's concurrence.

- (d) Any employee who complains of sexual harassment in good faith will be protected against retaliation or reprisal for making the complaint. However, the City recognizes that false accusations of sexual harassment can have serious effects on innocent men and women, their reputation, and their families. False accusations of sexual harassment will result in severe disciplinary action up to and including termination.

Section 7.02. Smoking Policy

- (a) The use of tobacco products is strictly prohibited in or within ~~fifteen~~ fifty (50) feet of all city owned buildings, vehicles, or other property, except in designated areas.
- (b) Designated smoking areas must be to the rear of city owned buildings and spaces, and will not be within ~~fifteen~~ fifty (50) feet of any entrance or exit of any city owned building, vehicle, or other property. All designated smoking areas must have a "snuffer" tower and the designated area and "snuffer" will be maintained as necessary by tobacco users.

Section 7.03. Substance Abuse Policy

- (a) The City is committed to providing reliable, safe, healthy, and hazard free service to its Citizens, officers and employees and has a Zero Tolerance Policy regarding substance abuse; and
- (b) The City defines substance abuse as the illegal manufacture, possession, use, solicitation for or sale of drug paraphernalia, controlled substances, or prescription medication without or in violation of a licensed health care professional's supervision, the possession, solicitation for or sale of alcohol while in the workplace, or the excessive use of alcohol that negatively affects work performance; and
- (c) The City will perform pre-employment, post-accident, reasonable cause, and commercial licensed driver drug screening of all officers and employees; and
- (d) As allowed by law, random substance abuse testing may be performed with respect to all officers and employees holding designated safety-sensitive positions; and
- (e) Failure to comply with substance abuse policies will result in appropriate disciplinary action

Workplace Searches

All offices, desks, file drawers, cabinets, lockers, City vehicles, and other City equipment (including but not limited to computers, email, and voice mail) and facilities or any area on City premises are the property of the City ("City Property") and are intended for business use. Employees should have no expectation of privacy with respect to City Property and/or items stored within or brought onto City Property or on the City's premises. Inspection may be conducted at any time, without notice, at

the discretion of the City.

(e) In addition, when the City deems appropriate, employees may be required to submit to searches of their personal vehicles, parcels, purses, handbags, backpacks, briefcases, lunch boxes, or any other possessions or articles brought onto the City's premises.

Section 7.04. Use of Technology

(e) A. Technology provided by the City, (including, but not limited to computers, networks, wired and wireless communications, printers, and copy machines) must be used in compliance with all applicable federal, State, and City policies, and is provided strictly for work related activities.

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1. Officers and employees have no right to privacy with regard to technology usage as all City-owned technology is monitored and subject to the Texas Government Code § 552, Public Information Act.
2. Misuse of City owned technology will result in appropriate disciplinary action. ~~and when warranted, criminal investigation.~~

B. Prohibited Applications Policy

1. Purpose

To implement an information technology approach focused on protecting the City's sensitive information and critical infrastructure as required by Chapter 620, Texas Government Code, from technology believed to pose a threat to governmental infrastructure, by prohibiting and preventing the download or use of prohibited technologies on any City-owned or issued electronic device.

2. Roles and Responsibilities

a. All City of Bartlett employees are expected to be familiar with and adhere to the terms of this policy and all sub-policies and procedures.

b. City employees are prohibited on any City-issued, owned or leased devices, from downloading, installing or using the social media service TikTok, or any successor application or service developed, provided, or owned by ByteDance Ltd., such as Tik Tok, or any subsidiary or any prohibited software/applications/developers listed on <https://dir.texas.gov/information-security/prohibited-technologies> or a social media application/service, as referenced in Section 620.005 Texas Government Code. City staff may prohibit the use of TikTok on City devices by limiting network access to the application.

3. Exceptions

a. Exceptions to the ban on prohibited technologies, as required by state law, may only be approved by the Police Chief or City Administrator:

- 1) When the use of prohibited technologies is required for a specific business need, such as enabling criminal investigations or for developing or implementing information security measures.
- 2) Any such exception must be detailed and include (1) the use of measures to mitigate risks to the security of city information during the use of the covered application; and (2) the documentation of those measures.
- 3) To the extent practicable, exception- based use should only be performed on devices that are not used for other city business and on non-city networks. Cameras and microphones should be disabled on devices for exception-based use.

4. Compliance

Compliance with this policy will be verified through various methods for City-owned, leased, and issued devices, including but not limited to, IT/security system reports. Violations of this policy will result in coaching and repeat offenses

may result in disciplinary action up to and including termination of employment.

If the underlying statute, Texas Government Code §§620.001-.006, is declared unconstitutional, enforceable, or vacated by a court of competent jurisdiction, this policy is void.

Section 7.05. Employee Operation of City-Owned Vehicles

- (a) No employee may operate a City-owned vehicle unless the employee possesses a valid driver's license appropriate for that vehicle and is insurable by the City's insurer; and
- (b) Any employee required to operate a City-owned vehicle as part of their duties, must immediately notify the Department Head, should the employee's driver's license expire or be suspended, or the employee becomes uninsurable; and
- (c) The City shall verify, at least annually, that every employee who operates City-owned vehicles has a valid license and insurance; and
- (d) Employees whose positions require the operation of a City-owned vehicle, are expected to obey all traffic laws and avoid accidents at all times, even when driving personally owned vehicles during non-working hours; and
- (e) Employees who fail to maintain a satisfactory driving record and insurability, shall be deemed in violation of the Manual and will be subject to disciplinary action. The following offenses shall be grounds for immediate termination:
 - (i) a conviction for driving under the influence of alcohol or controlled substances; or
 - (ii) operating a City vehicle while their driver license or insurance is invalid.

Article VIII. Adverse Actions

Section 8.01. Violations of Policy

- (a) Any officer or employee who violates the policies set forth herein, will be subject to disciplinary action, up to and including termination, except elected officers and employees who cannot be terminated or reassigned from their elected office. Officers and employees have a limited right to disciplinary actions that are progressive; however, consideration will be given to the individual circumstances when determining the appropriate disciplinary actions to be taken.
- (b) In taking any action with respect to an applicant, officer, or employee, the Department Head shall consider whether the prior history and conduct of the individual evidences that the individual may reasonably be rehabilitated or expected to negatively interfere with the effective services of the City.

Section 8.02. Penalties

- (a) A ~~department head~~ City Administrator or the Mayor may deny or reject any application, appointment or promotion, or counsel, reprimand, suspend with or without pay, demote, reassign, or terminate any officer or employee, except elected officers and employees who cannot be terminated or reassigned from their elected office, at any time the ~~Department Head~~ City Administrator or Mayor determines that such action will promote the efficiency of the City's service; and
- (b) In such event, the officer or employee should be promptly served with written notice and informed that the employee has the right to appeal the matter through the Grievance Procedure; and
- (c) The written disciplinary action should set forth:
 - (i) the specific causes that resulted in the discipline; and
 - (ii) the discipline to be imposed; and
 - (iii) the effective dates of the imposed discipline; and
 - (iv) the consequences if the officer or employee continues to perform in a substandard manner; and
 - (v) contain a statement that the officer or employee may appeal the action; and
 - (vi) an acknowledgment that the officer or employee has received the notice of disciplinary action.
- (d) A copy of the disciplinary action will be given to the officer or employee, and the original will be filed in the officer or employee's permanent personnel file by the City Secretary.

Section 8.03. General Violations

The following violations are specific, but are in no way exhaustive:

- (a) Dishonesty. Taking property without authorization or permission; misuse of employer funds or property; cheating; forging or willfully falsifying reports, records, or documents; misuse of leave; any false action detrimental to the workplace; and

- (b) Disturbance. Fighting; using profane, abusive or threatening language; horseplay; causing injury to fellow employees through deliberate action or gross negligence; disrupting harmonious relationships between employees; and
- (c) Firearms. The illegal control of or possession by any officer or employee of a firearm on or about the person while on duty, is strictly prohibited; and
- (d) Incompetence. Inability or unwillingness to perform assigned work satisfactorily.
- (e) Indifference Toward Work. Failure to remain at work, inefficiency, loafing, carelessness, performing personal and non-City related business during working hours, abuse of eating and rest periods, sleeping or being inattentive during working hours; and
- (f) Insubordination. Willful failure or refusal to perform assigned work or fully comply with instructions or orders as assigned by any supervisor, Department Head, or the Mayor, except this does not apply to imminently dangerous situations. If the officer or employee believes the instruction or order, if followed, would result in physical injury or death to himself/them or another, or result in damage to City assets, the employee may defer action and request a confirmation by the next higher level of management; interfering with the work of others, mistreatment of the public or other employees; leaving work without permission; and
- (g) Misconduct. Any criminal offense or infamous or notoriously disgraceful conduct and other misconduct which could have an adverse effect on the employer; diminishes the confidence or trust of the public in the integrity of the City government; negatively affects workplace relationships; habitual misdemeanor convictions; felony conviction; and
- (h) Misleading and False Identification. Intentionally false statements, deception, or fraud in applications, examinations, representations made for appointment or promotion, or reports; possessing, using, or providing any City equipment, credentials, or services for other than official City; and
- (i) Political Activities. When not on duty or in uniform, an officer or employee of the City may engage in political activity and campaigns for and with respect to any entity. An employee who becomes a candidate for any City office, constitutes a resignation; and
- (j) Sabotage. Deliberate damage or destruction of City equipment or property; altering, removing or destroying City records; advocacy of or participating in unlawful trespass or seizure of City property; encouraging or engaging in slow-downs, sit-ins, strikes, or any other concerted efforts to limit or restrict officers and employees from working; conduct subversive to the proper order, discipline and morale of city employees; and
- (k) Statutory. Any statutory disqualification which makes the individual unfit for the job or failure to meet and maintain requirements of the individual's job description; and
- (l) Substance Abuse. Reporting to work, being on duty, or being on-call or standby in an unfit condition; being under the influence of alcohol; unlawfully under the influence of controlled substances; and
- (m) Unsatisfactory Attendance. Excessive tardiness, neglect of duties, or unauthorized absences will be grounds for dismissal; and

- (n) Violation of Safety Rules. Improper removal of safety guards, fire extinguishers, or other equipment designed to protect employees; failure to use safety equipment; failure to follow safety rules; failure to report an on-the-job injury, vehicle accident, or unsafe condition.

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Article IX. Complaint and Grievance Procedures

Section 9.01. General Guidelines

It is the City's goal to treat all Citizens, officers and employees fairly in all respects. Citizens, officers, and employees who feel they have been subjected to unfair treatment or discrimination have the right to present grievances through simple and reasonable procedures. A grievance is defined as any complaint or problem concerning an officer or employee's duties or working conditions. Any officer or employee may present grievances under the procedures outlined below and will be free from restraint, coercion, or reprisal as a result.

Section 9.02. Procedural Steps

- (a) The grievance shall be in writing, legible, and must include the following information:
 - (i) date, time, and place of the alleged mistreatment, harassment, or discrimination; and
 - (ii) specify the nature of the grievance; and
 - (iii) explain why the action is improper; and
 - (iv) offer a suggested corrective action, and
 - (v) be signed by the complainant; and
- (b) The officer or employee must present the grievance to her immediate supervisor within five (5) calendar days of the alleged action; and
- (c) The immediate supervisor will notify the Department Head/City Administrator of the grievance within one (1) working day of receipt of the grievance; and
- (d) The immediate supervisor has five (5) working days from the date of receipt of the grievance to deny, amend, or uphold any appeal; and
- (e) (iii) If the grievance is not resolved between the officer or employee and the immediate supervisor, the officer or employee may request a review by the Department Head/City Administrator. The request must be in writing and filed with the immediate supervisor within three (3) calendar days of the earlier of the immediate supervisor's response or the expiration of the five (5) workday response period; and
- (f) The immediate supervisor shall, within one (1) work day, submit the original grievance, any relevant documentation, and the officer or employee's request to the Department Head/City Administrator who will have ten (10) working days of the date of the Department Head/City Administrator's receipt of the request to conduct a review, to deny, amend, or uphold any appeal; and
- (g) (iii) If the grievance is not resolved between the officer or employee and the Department Head/City Administrator, the officer or employee may request a review by the Mayor. The request must be in writing and filed with the immediate supervisor within three (3) calendar days of the earlier of the Department Head/City Administrator's response or the expiration of the ten (10) workday response period; and
- (h) The immediate supervisor shall forward the request within one (1) work day to the

~~Department Head~~City Administrator; and

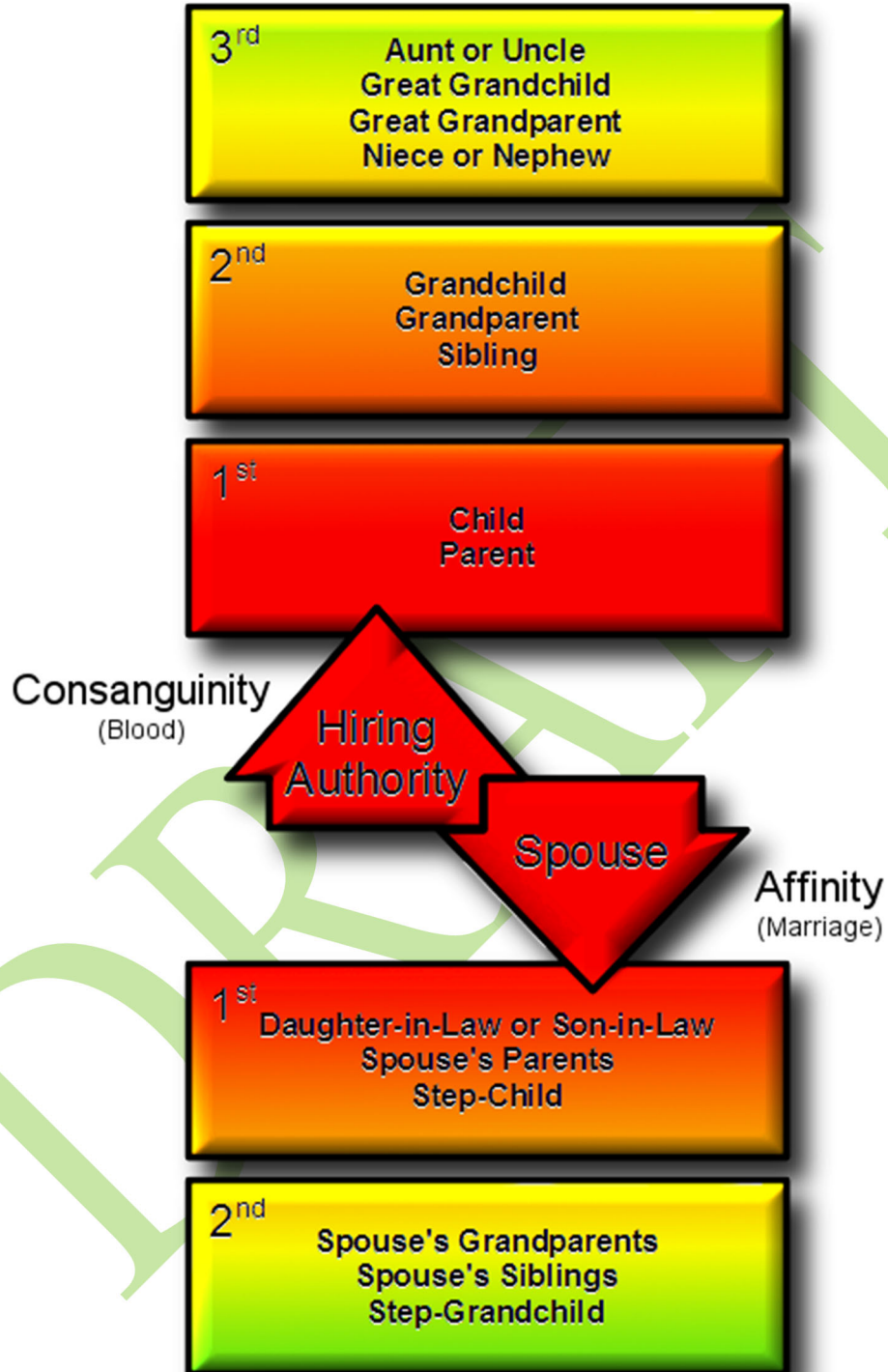
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- (i) The ~~Department Head~~City Administrator shall forward, within one (1) work day, the original grievance, any relevant documentation, and the officer or employee's request to the Mayor who will have ten (10) working days of the date of the Mayor's receipt of the request to deny, amend, or uphold any appeal; and
- (j) (iv) If the grievance is not resolved between the officer or employee and the Mayor, the officer or employee may request a hearing before the Council. The request must be in writing and filed with the immediate supervisor within three (3) calendar days of the earlier of the Mayor's response or the expiration of the ten (10) workday response period; and
- (k) The Mayor shall schedule a hearing before the City Council and notify the officer or employee of the ~~the~~ date and time the hearing will be held. The City Council may deny, amend, or uphold the appeal, and the City Council's decision shall be final.

Section 9.03. Grievances Without Basis

Grievances are serious matters and the City encourages officers and employees to file all legitimate, fact based complaints; equally so, frivolous, baseless, and false grievances are discouraged and will result in disciplinary action.

Appendix 1 - Nepotism Chart



Appendix 2 - Classes Of Employees

Full-Time ("FT"). A full-time officer or employee is an officer or employee serving in a position budgeted for two thousand eighty (2080) or more hours per year. FT officers and employees are eligible for all City offered compensations and benefits.

Part-time ("PT"). A part-time officer or employee is an officer or employee serving in a position that is budgeted for and regularly scheduled to work less than two-thousand eighty (2080) hours per year. PT officers and employees are not eligible for City offered compensations or benefits, except those mandated by State or federal law.

Temporary or Seasonal ("TS"). A temporary or seasonal officer or employee is appointed for a specific period of time, and has an anticipated date of termination. TS officers and employees are not eligible for City offered compensation or benefits, except those mandated by State or federal law.

Probationary ("PR"). All new officers and employees, except elected officials, shall be placed in a ninety (90) day probationary period. All officers and employees, except elected officials, are subject to being placed in a probationary status for disciplinary reasons.

Exempt Employees. Exempt employees are those who are not entitled to receive overtime pay for hours worked beyond the standard workweek. These employees are typically salaried and are exempt from the FLSA's minimum wage and overtime pay requirements. Exempt employees often hold managerial, administrative, executive, or professional positions and are compensated based on their job responsibilities rather than the number of hours worked. Exempt employees are expected to fulfill their job duties regardless of the number of hours worked in a week but must still accurately record their hours worked..

Non-Exempt Employees. Non-exempt employees are those who are entitled to receive overtime pay for any hours worked beyond the standard workweek, as defined by the FLSA. These employees are typically paid on an hourly basis and are subject to the FLSA's minimum wage and overtime pay requirements. Non-exempt employees must be compensated at a rate of one and a half times their regular hourly rate for any hours worked in excess of 40 hours per week. Unlike exempt employees, non-exempt employees are eligible for overtime pay and must accurately record their hours worked.

~~Salaried ("SA"). A salaried officer or employee is an officer or employee compensated for the position. All salaried employees must, at all times, supervise at least three (3) other officers or employees. The salaried employee shall submit a time sheet each pay period and is expected to work an annual average of forty (40) or more hours per week.~~

Contractors, consultants, and other service professionals are not officers or employees of the City and are not eligible for benefits. Contractors, consultants, and service professionals are paid via invoices and require Internal Revenue Service Forms 1099.

Appendix 3 - Fair Labor Standards Act Summary

The Fair Labor Standards Act (FLSA) is a federal law enacted in 1938, which establishes the minimum wage, overtime pay eligibility, recordkeeping, and child labor standards affecting full-time and part-time workers in the United States. It is crucial for all City employees to understand their rights and obligations under the FLSA to ensure fair and lawful employment practices.

Key Provisions of the FLSA:

Minimum Wage: The FLSA mandates a federal minimum wage, which is periodically adjusted by Congress. As of [current date], the federal minimum wage is \$7.25 per hour. However, individual states or localities may have their own minimum wage rates, and employees are entitled to the higher of the federal, state, or local minimum wage.

Overtime Pay: Non-exempt employees are entitled to overtime pay at a rate of one and a half times their regular rate of pay for all hours worked in excess of 40 hours in a workweek. Overtime pay is calculated based on the employee's hourly rate of pay, and it is important for employers to accurately track and compensate overtime hours. Non-exempt law enforcement officers who are regularly scheduled to work eighty (80) hours or more of work per two-week cycle and exceed eighty-five and one half (85.5) hours of work per two week cycle is eligible for overtime compensation.

Exempt vs. Non-Exempt Status: The FLSA classifies employees as either exempt or non-exempt based on their job duties and salary basis. Exempt employees are not eligible for overtime pay and typically include executive, administrative, professional, and certain computer-related positions. Non-exempt employees are entitled to overtime pay and include most hourly workers.

Recordkeeping Requirements: Employers covered by the FLSA must maintain accurate records of employees' hours worked, wages paid, and other pertinent information. This includes employee names, addresses, dates of birth (for minors), and employment dates.

Child Labor Protections: The FLSA establishes regulations concerning the employment of minors, including restrictions on the types of jobs they can perform, hours they can work, and conditions of work. These regulations are in place to ensure the safety, health, and educational

opportunities of young workers.

Enforcement and Penalties: The U.S. Department of Labor's Wage and Hour Division (WHD) is responsible for enforcing the FLSA. Employers found in violation of the FLSA may be subject to penalties, including back pay, liquidated damages, civil monetary penalties, and injunctions.

Conclusion:

The Fair Labor Standards Act (FLSA) is a cornerstone of labor law in the United States, providing essential protections for workers regarding minimum wage, overtime pay, recordkeeping, and child labor standards. By adhering to the provisions of the FLSA, the City demonstrates its commitment to fair and equitable employment practices, ensuring the well-being and rights of its employees. It is imperative for all City employees and management to familiarize themselves with the requirements of the FLSA to promote compliance and uphold the principles of fairness and justice in the workplace. The Fair Labor Standards Act (the "FLSA") sets basic wage and overtime pay standards and regulates the employment of minors, however there are a number of employment practices which the FLSA does not regulate such as vacation, holiday, severance, or sick pay; meal or rest periods; recognized holidays; premium pay; non-standard work schedules; pay raises or fringe benefits; or discharge notices, reasons for discharge, or immediate payment of final wages.

The FLSA does not regulate the number of hours in a day or days in a week an officer or employee may be required or scheduled to work, including overtime hours.

When computing hours compensated, based on the FLSA, the following definitions and methods of calculating compensation will apply:

Exempt Employee. Must meet the FLSA standards of salary and regular supervision of two or more full-time employees or equivalent thereof, has management as the primary duty of the position, and has genuine input into the job status of other employees. The FLSA does not prohibit an employer from requiring exempt employees to "punch a clock," work a particular schedule, or "make-up" time lost due to absences.

Non-Exempt Employee. Any officer or employee who does not meet the FLSA definition of an exempt employee, is generally compensated on an hourly basis, and is entitled to the FLSA minimum wage and overtime standards.

Non-Productive Hours. Time an officer or employee is not actively and directly engaged in their assigned duties for the City and may be compensated for. Examples include vacation, sick, holiday, meal periods, and unpaid absences.

Overtime. The FLSA establishes forty (40) hours of productive hours per week as the time that must be worked before a non-exempt officer or employee is eligible for overtime compensation. Non-exempt law enforcement officers who are regularly scheduled to work eighty

~~(80) hours or more of work per two-week cycle and exceed eighty-five and one-half (85.5) hours of work per two-week cycle is eligible for overtime compensation.~~

~~Productive Hours. Time an officer or employee is actively and directly engaged in their assigned duties for the City and must be compensated for.~~

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Appendix 4 - Controlled Substance Testing Protocol

An immunoassay will be used for the initial test with the following cut-off levels:

SUBSTANCE	<u>INITIAL TEST</u>	- CUT-OFF LEVELS (NG/ML)
Marijuana Metabolites		100
Cocaine Metabolites		300
Opiate (Codeine and Morphine)		*300
Phencyclidine (PCP)		25
Amphetamines		1000
Alcohol		0.04

*25 NG/ML if immunoassay specific for free morphine.

All initially positive tests, using the original sample and at applicant, officer, or employee expense, may be confirmed by gas chromatography/mass spectrometry (GC/MS):

SUBSTANCE	<u>CONFIRMATION TEST</u>	CUT-OFF LEVELS (NG/ML)
Marijuana Metabolites (1)		15
Cocaine Metabolites (2)		150
Opiate (Codeine and Morphine)		150
Phencyclidine (PCP)		25
Amphetamines		500
(1) Delta-9-Tetrahydrocannabinol-9-Carboxylic Acid		
(2) Benzoylgonine <u>Benzoyllecgonine</u>		

Appendix 5 - Acknowledgment Of Receipt

By my signature below, I, _____,
acknowledge:

- (a) I understand the City of Bartlett is an at-will employer and I am subject to termination for any reason or no reason at all, either voluntarily or involuntarily; and
- (b) I understand that the provisions contained in the City of Bartlett Personnel Manual (the "Manual") are applicable to me; and
- (c) I understand the City of Bartlett (the "City") will attempt to apply the policies and regulations set forth in the Manual, in a fair and impartial manner to achieve the City's overall objectives; and
- (d) I understand that I will be subject to substance abuse testing and that the compliance with such testing is a condition of continued employment; and
- (e) I understand the City will make every effort to provide a work environment free from all forms of harassment as defined by Title VII of the 1964 Civil rights Act; and
- (f) I understand the City reserves the right to change, modify, add, or eliminate any provisions therein, at any time, with or without notice. Any agreements, promises, or other instrument, whether written or verbal, expressed or implied, made to me, which conflict with the provisions of the Manual, are effective only if in writing and an act of the City Council; and
- (g) I understand that I may file grievances with respect to disciplinary decisions and actions affecting my employment with the City, provided that such grievances are consistent with the policies set forth in the Manual. A decision of the City Council, when applicable, will be final.

I have received a copy of the City of Bartlett Personnel Manual, affirm that I have had an opportunity to ask questions about the terms, provisions, meanings, application, and enforcement thereof, and agree to uphold the policies therein.

Date: _____

Signature of Employee

Signature of ~~Department Head~~ City Administrator

City of Bartlett Personnel Manual



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Article I. Policy Objective, Applicability, and Dissemination

Section 1.01. Policy Objective

The principle objective of the City of Bartlett's (the "City") personnel policies, as set forth in the City of Bartlett Personnel Manual (the "Manual"), is to promote professionalism and to provide a fair and equitable system of personnel management. These policies address the City's general overarching policies for personnel management, while providing limited flexibility to resolve issues not specifically addressed herein.

Section 1.02. Applicability

- (a) Notwithstanding federal, State, or other superior law, these policies apply to all officers and employees of the City; and
- (b) The Manual supersedes all policies, expressed or implied, in verbal or written form, and compliance is compulsory; and
- (c) The City reserves all rights to interpret, amend, and revise the Manual when deemed as necessary at the recommendation of the Mayor, and shall be enforceable, subject to the provisions set forth in Section IX, Complaint and Grievance Procedures; and
- (d) Words used in the masculine or feminine form, are used as gender neutral and applicable to either.

Section 1.03 Dissemination of the Manual

- (a) The City Secretary shall maintain a master of the Manual and ensure each Department Head maintains a current and verbatim copy of same; and
- (b) Each Department Head shall:
 - (i) cause each employee to receive a copy of the Manual, and to sign an acknowledgment indicating such receipt; and
 - (ii) inform each employee that they are responsible for being familiar with and accountable to the policies set forth herein and all subsequent changes; and
 - (iii) ensure changes are properly posted in the department's master copy, and that all department officers and employees are made aware of changes to the Manual; and
- (c) All officers and employees are responsible for becoming familiar with the Manual and have a right to review the master Manual, during the City's normal business hours.

Article II. Principal Provisions

Section 2.01. Code of Ethics

Officers and employees of the City hold their positions to serve and benefit all the Citizens of the City, and not for obtaining unwarranted benefit in the exercise and performance of their official powers and duties.

Officers and employees must acknowledge that they are representatives of the City and in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. These canons establish the altruistic standards for all officers and employees of the City:

- (a) Officers and employees must strive to uphold the Constitution and laws of the United States, the State of Texas, and the City; and
- (b) Officers and employees must not use, or permit to be used, their official position or duties for personal gain, that of a relative, or any third-party entity; and
- (c) Officers or employees must disclose any interest which may be in conflict, or give the appearance of conflict, with any matter that might come before the City; and
- (d) Officers and employees may not acquire any interest in any venture which is, or may be construed, as being in conflict with their official capacities; and
- (e) Officers and employees must not solicit, accept, give, or promise any thing of value, nor will any officer or employee directly, or indirectly, induce another to solicit, accept, give, or promise any thing of value for personal or political gain:
 - (i) Officers and employees may accept gifts with a token value of less than \$25.00, but must report such acceptance to their Department Head and such report will be noted in the officer or employee's personnel jacket; and
- (f) Officers and employees must be honest, trustworthy, and accountable in all that they say, write, and in all professional relationships; and
- (g) Officers and employees must be committed to accomplishing all tasks in a superior way, and abstaining from all behaviors that may tarnish the image of the City; and
- (h) Officers and employees must be dedicated to providing quality services by being cooperative and constructive, and by making the best and most efficient use of available City resources; and
- (i) Officers and employees must be fair and considerate in the treatment of fellow officers, employees, and Citizens, addressing concerns and needs without bias; and
- (j) No officer or employee may take, acquire, or purchase any property of the City, of any nature or kind whatsoever, for them or any other person; this subsection shall not prohibit any employee from bidding on surplus City property at a properly noticed public auction authorized by the City of Bartlett City Council (the "Council"); and
- (k) Officers and employees must be aware and recognize that policy decisions are ultimately the responsibility of the Council.

Section 2.02. Organization of Personnel

- (a) As the Chief Executive Officer of the City, the Mayor of the City of Bartlett (the “Mayor”) or their designee is responsible for the administration of the personnel program and shall establish policies for the day-to-day management of the City which are consistent with the Manual; and
- (b) The City Administrator shall advise the Council on personnel matters and recommend changes in the personnel policies, rules, regulations, and any other changes which the Mayor may deem necessary; and
- (c) The City Administrator shall serve as the Department Head for department heads, all senior staff officers, and employees, and may discipline any employee of the City, up to and including termination, except the Chief of Police and Fire Chief, which the Mayor may discipline, up to and including indefinite suspension without pay; and
- (d) The Council, through the budget process as set forth in Texas Local Government Code, §§ 102 and 141, shall set the compensation of all officers and employees, in consideration of the Mayor's recommendations; and
- (e) The Council, as the quasi-judicial review board, shall serve as the final authority for the City in all disciplinary actions when warranted by the policies set forth in the Manual; and
- (f) Department Heads shall serve as the first level of senior supervision, and are expected to effectively supervise their employees to maintain positive working relationships and to ensure employee compliance with the Manual; and
- (g) Department Heads shall manage their respective department; to that end, and subject to the rights of employees to appeal, Department Heads:
 - (i) shall set the example for all subordinates on behavior and compliance with the Manual; and
 - (ii) may adopt and enforce departmental policies and regulations that are not inconsistent with the Manual or superior law, and are approved by the Mayor; and
 - (iii) shall report on the efficiency of their subordinates to the Mayor; and
 - (iv) shall have the authority to employ, reassign, and terminate employees within their respective departments, subject to the limits of the approved budget and coordination with the Mayor.

Article III. Applications and Conditions of Employment

Section 3.01. Equal Employment Opportunity and Americans with Disability Act Policy

The City is committed to equal opportunities for all and respects and values the diversity among all our officers and employees, and all those with whom we do business, therefore, the City must ensure business activities are free of all forms of discrimination and harassment.

As such, all activities such as hiring, promotions, and compensation of employees, will be conducted without regard to age, color, disability, gender, gender identity or expression, genetics, marital status, national origin, race, religious or political perspective or affiliation, or sexual orientation. These business activities and administration of officer and employee benefit plans comply with all applicable laws.

For qualified people with disabilities, the City makes workplace accommodations that make all efforts to comply with applicable laws, and which the City determines are reasonable and needed for effective job performance.

Where specific age, sex, or physical or mental requirements constitute a necessary or mandatory occupational qualification, appropriate consideration of such factors is permitted.

Any officer or employee who feels they have been discriminated against, should defer to Section IX, Complaint and Grievance Procedures.

Section 3.02. Nepotism

- (a) No person related within the third degree of consanguinity or the second degree of affinity, to the Mayor, any member of the City Council, Department Head, or the hiring authority, shall be employed in or appointed to any office, position, other service, or award of contract (Appendix 1); and
- (b) No person related within the third degree of consanguinity or the second degree of affinity, shall be employed or appointed to positions in the same department; and
- (c) Notwithstanding any superior law, Department Heads who believe an appointment is justified by extraordinary circumstances, may petition the Council for an exception, which must be approved by a two-thirds majority of the Council; and
- (d) Officers and employees are required to notify their department head when a conflict with this section arises; and
- (e) The prohibitions of Sections 3.02(a), (b), and (c) shall not apply to any person who was employed by the City prior to the time of election or appointment of the official related within a prohibited degree.

Section 3.03. At Will Employer

All non-elected officers and employees are hired for an indefinite period of time, and the City, officer, or employee is free to terminate their relationship at will, with or without cause, at any time.

Section 3.04. Disclosure of Potentially Discriminatory Information

In the course of evaluating potential employees and responding to mandatory demographic criteria, employees and applicants may be required to provide personal information. Requests for personal information, as covered under Section 3.01, will only be collected to fulfill mandatory demographic reporting criteria or facilitate City programs.

Such information will be protected according to applicable law, and no appointment to, or removal from, a position with the City shall be directly or indirectly influenced by the misuse of any information requested or obtained for permitted uses.

Employees and applicants may decline to respond; however, such declination may result in the employee or applicant being denied continued employment, consideration, or benefits.

An employee or applicant should defer to Article IX, Complaint and Grievance Procedures, if they believe personal information was used in a discriminatory manner.

Section 3.05. General Basis of Employment

All positions within the City shall be based on work related qualifications:

- (a) Education, training, licenses, certifications, and work experience as listed on the application and applicant provided documentation; and
- (b) Position related written and performance tests; and
- (c) Position related physical examinations and drug panel screening; and
- (d) Appropriate background checks for conviction of crimes involving moral turpitude, felonies, credit history, and moving traffic violations; and
- (e) Reference checks.

Section 3.06. Application and Pre-Employment Selection

- (a) When directed by the Mayor, the City Secretary shall post vacant positions to be filled for no less than two (2) weeks in the official newspaper, or on the City web site, or at City Hall, and/or in other media deemed appropriate by the Mayor and City Administrator; and
- (b) All applications will be accepted and all persons seeking employment will be required to complete and submit an official application to the City Secretary; and
- (c) Application forms will be secured until the filing deadline. The City Secretary shall retain a copy and forward all original applications to the appropriate Department Head; and
- (d) Potentially eligible candidates will be selected from among the applications submitted and the City Secretary shall obtain a basic criminal history, and the Department Head shall check references; and
- (e) If an interview is warranted, the Department Head shall schedule with the candidate; however, offers of employment, formal, conditional, or otherwise, may not be made at the time of the interview; and
- (f) The candidate must present a driving history, copies of applicable licenses and certifications, and other necessary documentation at the time of the interview; and

- (g) After all interviews are taken, if the City Administrator and the Department Head determines that a candidate is acceptable and meets the qualifications of the position, the Department Head may extend a conditional offer of employment and schedule the candidate for any mandated pre-employment physical and psychological examinations; and
- (h) In accordance with the City's Zero Tolerance policies, all candidates who are given conditional offers, must undergo drug panel screenings (see Appendix 4 – Controlled Substance Testing Protocol).

Section 3.07. Disqualification from Consideration

The Mayor, City Administrator, or the Department Head of the applicable department may reject any application, which indicates, on its face, that the applicant:

- (a) does not meet the experience, licensing and certification, and education requirements set forth in the job description; or
- (b) appears to have made false statements on the application or appears to have been deceptive in any manner during the recruitment process; or
- (c) is limited by the provisions of any retirement plan; or
- (d) the applicant refuses to provide mandatory employment information; or
- (e) cannot or will not comply with the City's policies, rules and regulations; or
- (f) the applicant was an officer or employee of the City, in any capacity, or contracted, in any capacity, with the City, within the last year of the date of application.

Section 3.08. Appointments

- (a) Qualified officers and employees shall be given hiring preference; and
- (b) No formal offers of employment are to be extended prior to completion of the entire recruitment process; and
- (c) Upon acceptance of the formal offer of employment, the City Secretary shall coordinate a start date with the new officer or employee to review, verify, and complete all employment records and enrollment forms. The City Administrator shall also give the employee a copy of the Manual and notify the Department Head the new officer or employee is eligible to begin work; and
- (d) Excepting positions requiring licenses or certifications, if no candidate possessing the minimum qualifications, or if no candidate accepts the formal employment offer, the vacant position may be filled by an unqualified applicant at the appropriate pay scale level; and
- (e) Officers and employees who apply for open positions are subject to all the terms and provisioning of that position and are not entitled to retain current compensation.

Section 3.09. Emergency Response Time

All employees who are required to respond to off duty situations, must reside no more than thirty (30) minutes travel time to the City.

Section 3.10. Fitness of Duty

- (a) Department Heads may require an employee to submit to an examination by a City approved physician when it appears that the physical or mental condition of an employee may prohibit the employee from adequately performing the employee's job duties, and may constitute threat or hazard to themselves, other officers, and employees, Citizens, or property; and
- (b) The employee shall be granted administrative leave during the examination and without expense to the employee, for the sole purpose of determining the officer or employee's fitness for duty; and
- (c) The examining physician shall make a recommendation as to whether the officer or employee should be continued in the present position, be considered for a leave of absence, or otherwise not be continued in the present position; and
- (d) The officer or employee shall authorize the physician to disclose the recommendation to the Department Head, who will determine an appropriate response.

Section 3.11. Resignation

- (a) An officer or employee who has reason to leave the employment of the City must give notice to the officer or employee's department head before the effective date of the resignation.
- (b) Such notice may be verbal or in writing.
- (c) No officer or employee may be employed by the City, in any capacity, or contract with the City, for a period of not less than one (1) year following the officer or employee's resignation.

Section 3.12. Retirement

- (a) All regular full-time officers and employees are required to become members of the Texas Municipal Retirement System (the "TMRS"). Accidental death and disability benefits are also incorporated into this retirement plan should an officer or employee become qualified for benefits prior to retirement.
- (b) TMRS provides eligible officers and employees with retirement benefits based on the City's five (5) year vesting plan, with retirement at or after age 60, or at any age after five (5) years of participation in the TMRS plan.
- (c) Funds contributed by the employee may only be withdrawn upon retirement or resignation. Only the employee's contributions, plus interest, if any, are refunded when an employee resigns or retires and elects to withdraw their contribution.
- (d) Full details of the retirement plan are outlined in the TMRS Handbook.

Section 3.13. Requests for Employment Verification

- (a) Information regarding the employment of all current and former City officers and employees, must be made by written request to the City Secretary Administrator or Chief of Police.
- (b) In the absence of a written release signed and witnessed therefor by the current or former officer or employee, only the following information may be released:
 - (i) The dates the officer or employee began and ended employment with the City; and
 - (ii) The officer or employee's beginning and ending salary or wage rates; and
 - (iii) The positions held by the officer or employee while employed by the City; and
 - (iv) As permitted under Texas Labor Code § 103, the Department Head may respond to requests from a prospective employer regarding performance of a current or former officer or employee.

Section 3.14. Non-City Occasional and Part-Time Employment

- (a) Officers and employees shall consider their employment with the City as the officer or employee's primary employer; and
- (b) Department Heads shall approve occasional and part-time employment, whether voluntary or compensated, if the work does not constitute a conflict of interest, does not interfere with the officer or employee's normal duties, and does not involve the use of City resources; and
- (c) Injuries and disabilities sustained during occasional and part-time employment, must be reported to the City within seventy-two (72) hours, and may not be covered by the City's benefits program.

Section 3.15. Lay Off

The City may lay off an officer or employee as a result of changes in duties or organization, or lack of work or funds. A two (2) week written notice of impending lay-off shall be given prior to the effective date of the lay-off and no other notice will be necessary.

Section 3.16 Attire and Grooming

The City strives to maintain a workplace environment that functions well and is free from unnecessary distractions and annoyances. As part of that effort, the company requires employees to maintain a neat and clean appearance that is appropriate for the workplace setting and for the work being performed. Natural hair styles and textures are permitted, but Department heads may determine and enforce guidelines for workplace-appropriate attire and grooming for their areas.

Procedures

All City employees are expected to present a professional, businesslike image to clients, visitors, customers and the public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with the City.

Supervisors should communicate any department-specific workplace attire and grooming guidelines to employees during new-hire orientation and evaluation periods. Any questions about the department's guidelines for attire should be discussed with the employee's immediate supervisor.

Any staff member who does not meet the attire or grooming standards will be subject to corrective action and may be asked to leave the premises to change clothing. Hourly paid staff members will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards.

Specific requirements

Certain employees may be required to meet special dress, grooming and hygiene standards, such as wearing uniforms or protective clothing, depending on the nature of their job. Uniforms and protective clothing may be required for certain positions, which the City will provide.

At the discretion of the department head, in special circumstances, such as during unusually hot or cold weather or during special occasions, employees may be permitted to dress in a more casual fashion than is normally required. On these occasions, staff members are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing or athletic wear. Likewise, tight, revealing or otherwise workplace-inappropriate dress is not permitted.

Reasonable accommodation of religious beliefs

The City recognizes the importance of individually held religious beliefs to persons within its workforce. The City will reasonably accommodate a staff member's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Accommodation of religious beliefs in terms of attire may be difficult in light of safety issues for employees. Those requesting a workplace attire accommodation based on religious beliefs should be referred to the City Administrator.

Article IV. Attendance and Leave

Section 4.01 Attendance

- (a) Officers and employees must be present at their designated workplace, and ready to perform assigned duties in accordance with the Manual regarding hours of work, holidays, and leaves; and
- (b) Department Heads shall keep daily attendance records of officers and employees within their department and ensure compliance with the Manual; and
- (c) All approved absences shall be reported on a leave form and turned in with the attendance records each pay period; and
- (d) If an officer or employee expects to be tardy or absent, the officer or employee must notify their supervisor or department head as soon as practical; failure to notify the supervisor or department head may result in disciplinary action.

Section 4.02. Hours of Operation

All general workplaces of the City will be kept open continuously from 8:00 a.m. until 5:00 p.m., Monday through Friday, except for holiday closures authorized by the City; all other workplace hours of operation will be determined by appropriate policy.

Section 4.03. Vacation Leave

Vacation leave is earned by full-time officers and employees according to the following anniversary schedule:

- (a) First through fifth year anniversary – eighty (80) hours; and
- (b) Sixth through eleventh year anniversary - one hundred and twenty (120) hours; and
- (c) Twelfth plus year anniversary – one hundred sixty (160) hours; and
- (d) The hours earned, will be posted on each anniversary date; and
- (e) No officer or employee may accrue vacation leave in excess of eighty (80) hours. Vacation hours in excess of eighty (80) hours will be forfeited without pay; and
- (f) All other officers and employees may be granted vacation leave without pay.

Section 4.04. Sick Leave

- (a) All full-time officers and employees will be credited eighty (80) hours of sick leave per year; and
- (b) Sick leave will be credited to each full-time officer and employee immediately following successful completion of their initial probationary period, and upon their anniversary date thereafter; and
- (c) Sick leave is not discretionary leave and will only be used for an authorized absence involving an illness or injury, whether personal or involving their child who has not yet attained the age of eighteen (18) years of age and are still attending school; and
- (d) Any absence of an officer or employee involving a claim for sick leave, whether

compensated or not, for more than an officer or employee's standard workday, or carries over to the following day, must be verified by a qualified physician; and

- (e) Officers and employees who consistently use their sick leave as it is credited or who fail to accumulate sick leave are required to submit a doctor's statement in support of the alleged illness or injury; and
- (f) No officer or employee may accrue sick leave in excess of two hundred forty (240) hours. Sick leave hours in excess of two hundred forty (240) hours will be forfeited without pay.
- (g) All other officers and employees may be granted sick leave without pay and are subject to the same verification policies as full-time officers and employees.
- (h) Officers and employees can submit a request to the City Administrator once all vacation leave has been used to convert up to one week of sick leave to vacation leave. This leave must be used before their anniversary date and cannot be rolled over.

Section 4.05. Military Leave

The City of Bartlett is committed to supporting its employees who serve in the United States Armed Forces and Texas National and State Guard. This policy outlines the provisions for military leave. All employees who are members of the Texas or National Guard or Reserves of the United States Armed Forces are eligible for military leave under this policy. Eligible employees include those who serve in the uniformed services in a voluntary or involuntary basis, including active duty, active duty for training, initial active duty for training, inactive duty training, and full-time National Guard duty.

Paid Leave & Benefits For Training And Duty:

Full Pay For Up To 15 Days: By Section 437.202, Texas Government Code, employee engaged in active, duty, active, initial, or inactive duty for training will receive pay and accrue benefits as if the employee were on the job for the City for up to 120 hours (fifteen workdays) in any one (1) year. The portion of any military leaves of absence over 120 hours per year will be unpaid. The paid leave days may be consecutive or scattered throughout the year.

Active Duty: Employees called to active duty military service under Title 10 of the United States are entitled to a leave of absence for the period of their military service. Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 USC Section 4301. Exempt employees should be paid for the entire week, if they worked during any portion of the week in which they reported for military duty pursuant to Title 10.

Notice To The City Of Need For Leave

Employees must provide as much advance written or verbal notice to the City as possible for all military duty (unless giving notice is impossible, unreasonable, or precluded by military necessity). Notice of military duty can be oral or written. See DOL regulation 20 C.F.R. § 1002.085. The basic documentation that can be furnished at the time of giving notice of military duty leave may take any format.

Section 4.06. Family and Medical Leave Act (FMLA) Leave

The City does not meet the requirements of the Family and Medical Leave Act.

Section 4.07. Parental Leave

- (a) Any employee is entitled to up to six (6) weeks of parental leave without loss of employment; and

- (b) Parental leave may be taken for the purpose of childbirth, bonding with the newborn, and recovery from childbirth-related medical conditions; and
- (c) Parental leave is not paid leave, except that accrued vacation and sick leave hours may be used concurrently with maternity leave, to offset any loss of pay.

Section 4.08. Emergency and Bereavement Leave

- (a) Full time officers and employees may be granted emergency leave with pay for a period not to exceed three (3) days in case of death, traumatic injury, or severe illness of any member within the second-degree consanguinity or affinity.; and
- (b) All other officers and employees may be granted emergency leave without pay for a period not to exceed three (3) days in case of death, traumatic injury, or severe illness of any member within the second-degree consanguinity or affinity.

Section 4.09. Severe Illness and Debilitating Injury Leave

- (a) A qualified physician's statement that the officer or employee, or a family member within the first (1st) degree of consanguinity or affinity, is unable to return to work or requires constant care, will be required for an employee to be authorized Severe Illness and Debilitating Injury leave; and
- (b) Such leave is without pay, except that vacation and sick leave may be used concurrently to offset any loss of pay; and
- (c) Leave resulting from or necessitated by any cause of severe illness or debilitating injury, will not exceed two hundred forty (240) hours; and
- (d) Any leave in excess of two hundred forty (240) hours constitutes an unusual hardship on the City and may result in termination of employment.

Section 4.10. Leave to Attend Voting, Jury Duty, Court Subpoenas

- (a) All officers and employees will be allowed one (1) hour of paid time to vote in federal, State, or local elections; and
- (b) Officers and employees called to jury duty will be paid, except that any compensation from such jury duty, will be deducted from the officer or employee's pay; and
- (c) Officers and employees called to testify on behalf of the City, will be paid for the actual hours giving such testimony.

Section 4.11. Leave of Absence

- (a) Officers and employees may request leave not otherwise addressed in the Manual; and
- (b) Such leave will be without pay; and
- (c) The City does not guarantee continued employment; and
- (d) Authorized leaves of absence with or without pay, will not exceed two hundred forty (240) hours per annum, except as allowed pursuant to any superior law.

Section 4.12. Absence Without Leave

- (a) No officer or employee may absent them from duty for any amount of time without the permission of the officer or employee's Department Head; and

- (d) Any such absence will be without pay and will subject the officer or employee to disciplinary action, up to and including termination.

Section 4.13 Paid Quarantine Leave Policy

(a) The City hereby adopts this paid quarantine leave policy for fire fighters, peace officers, detention officers, and emergency medical technicians who are employed by, appointed by, or elected to the City and ordered to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty.

(b) Definitions:

“Detention officer” means an individual appointed or employed by the City and whose job responsibilities include the care and custody of individuals incarcerated in the municipal jail.

“Emergency Medical Technician” means an individual who is employed by the City and certified as an emergency medical technician under Chapter 773, Health and Safety Code.

“Firefighter” means a paid employee of the City’s 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 at least one of the following functions: (i) fire suppression; (ii) fire prevention; (iii) fire training; (iv) fire safety education; (v) fire maintenance; (vi) fire communications; (vii) fire medical emergency technology; (viii) fire photography; (ix) fire administration; or (x) fire arson investigation.

“Health Authority” means a physician appointed by Williamson County to administer state and local laws relating to public health within the City's jurisdiction.

“Paid quarantine leave” means: (1) all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits provided by the City; and (2) if applicable, reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation costs.

“Peace officer” means police officers licensed by the Texas Commission on Law Enforcement and employed by the City.

(c) Quarantine Leave

A City firefighter, peace officer, detention officer, or emergency medical technician who is ordered to quarantine or isolate by a health authority due to a possible or known exposure to a communicable disease while on duty is entitled to receive paid quarantine leave for the duration of the leave.

(d) No Reduction in Compensation and Benefits

The City will not reduce a firefighter's, peace officer's, detention officer's, or emergency medical technician's sick leave balance, vacation leave balance, holiday leave, balance, or other paid leave balance in connection with paid quarantine leave taken in accordance with this policy.

Section 4.14 Mental Health Leave Policy

This policy is intended to provide paid mental health leave to the City's eligible firefighters, police officers and emergency responders who experience a traumatic event in the scope of their employment.

Full-time, licensed peace officers, paid firefighters and emergency responders (including dispatchers) are eligible to request mental health leave.

An eligible peace officer or paid firefighter shall be entitled up to three (3) days of paid mental health leave per calendar year, based on a traumatic event experience within the scope of employment. Mental health leave shall not accrue.

A traumatic event means exposure to actual or threatened death, serious injury or sexual violence which is experienced by a peace officer or paid firefighter in the scope of the officer's or firefighter's duties by:

1. directly experiencing the event;
2. witnessing, in person, the event as it occurred to others; and
3. experiencing repeated or extreme exposure to aversive details of the event.

Traumatic events may include, but are not limited to, the following:

1. Incidents involving multiple casualties which may include shootings, traffic accidents or major disasters, including weather related events.
2. Line of duty death or suicide of a department member.
3. Officer(s) involved shooting of a person.
4. Response to or investigation of a death of an individual involving violence or neglect.

Stressful events (*e.g.*, death of a loved one, divorce) not involving an immediate threat to life or physical injury in the scope of an officer's or firefighter's duties are not considered a traumatic event for the purposes of this policy.

To use leave, an eligible peace officer or firefighter must submit a written request to his or her supervisor or the highest administrative officer of the Police Department or Fire Department:

1. within three (3) days after experiencing a traumatic event in the scope of employment;
or
2. if directed by a mental health professional.

The City shall keep requests for mental health leave and any medical information related to mental health leave under this policy confidential, except when disclosure is required to effectuate the leave or is required by law. The request to take leave shall be maintained in a file separate from the employee's general personnel file.

An eligible peace officer's or firefighter's pay or accrued paid leave balance, including sick leave, vacation leave, holiday, or other paid leave, shall not be reduced for using mental health leave in accordance with this policy.

List of Mental Health Services in or serving Bartlett area:

Crosspoint Counseling
104 W. 4th Street
Taylor, TX 76574
512.352.3207
dvolek@cross-pointcounseling.com

Garner Counseling and Wellness
325 N. Main St.
Belton, TX 76513
(254)933-2273
wellness@gardnercounseling.com

Community Counseling Center
515 N Penelope St
Belton , TX 76513
(254) 933-3306
cccenter1@sbcglobal.net

Section 4.15 Line of Duty Injury Leave

Line of duty injuries for paid Police, Fire and EMS shall be managed in accordance with Texas Local Government Code Chapter 177A. Paid Police, Fire and EMS workers who sustain a line-of-duty injury shall be provided with a leave of absence at full pay for a period commensurate with the nature of the line of duty illness or injury for up to one year from the date of injury. Full pay will be provided as Temporary Income Benefits received by the employee from the City's Worker's Compensation Insurance provider plus a supplemental wage to equal the employee's regular rate of pay at the employee's regular schedule. Full pay under this section does not include overtime, even if regularly incurred when the employee is actively working. At the end of the leave of absence, the City Council may extend the leave of absence at full or reduced pay in response to a request by the employee.

1. In the event the employee is temporarily disabled by a line of duty injury or illness and requires additional leave beyond the leave of absence and any extension granted by the City Council has expired, the person may use accumulated sick leave, vacation time and other accrued benefits before the employee shall be placed on temporary leave. Another firefighter, police officer or EMS employee, as applicable, may voluntarily do the work of the injured firefighter,

police officer or EMS employee so that the temporarily disabled employee continues to receive wages and benefits while on temporary leave. In order to facilitate recovery, Employees on temporary leave are prohibited from working off-duty or ancillary jobs for other employers.

2. If able, a firefighter, police officer or EMS employee may return to light duty while recovering from a temporary disability. If medically necessary, the light duty assignment may continue for at least one year.
3. After recovery from a temporary disability, the employee shall be reinstated at the same rank and with the same seniority the employee held before going on temporary leave.
4. Should the employee be determined to be permanently disabled during any part of this process, and be unable to perform the essential functions of the employee's position with or without an accommodation, the department head --with the approval of the City Administrator /Mayor will make the necessary arrangements for the employee's retirement under the on-the-job disability clause of any coverage provided by the City, including the Texas Municipal Retirement System (TMRS).

Article V. Wages, Salary, and Other Compensation

Section 5.01. Pay Period

- (a) The City shall pay all officers and employees on a bi-weekly basis, beginning on Wednesday, and ending on the second Tuesday following; and
- (b) Salaried officers and employees will be paid an amount equal to their annual salary divided by the number of annual pay periods. Hourly officers and employees will be paid for the hours worked and due compensation; and
- (c) Department Heads must submit, by 12:00 p.m., attendance sheets the Wednesday immediately following the Tuesday ending the pay period, in order for their department officers and employees to receive pay on the Friday following the Tuesday ending the pay period; and
- (d) No officer or employee will be compensated for hours or benefits not earned.

Section 5.02. Overtime and Compensatory Time

- (a) All overtime must be approved by the Department Head. Overtime not approved will subject the officer or employee to disciplinary action; and
- (b) When permitted, one and one-half (1.5) hours shall accrue for all officers and employees electing compensatory time in lieu of overtime pay. When practical, all accrued compensatory time must be taken during the current pay period, otherwise such overtime will be paid, except exempt officers and employees who will forfeit such time and pay.

Section 5.03. On Call and Standby Pay

- (a) An officer or employee who volunteers or is required to remain on-call or standby on the City's premises, is engaged in productive hours; and
- (b) An officer or employee who volunteers or is required to remain on-call or standby at home or who is allowed to leave a message where they can be reached, is engaged in non-productive hours; and
- (c) Officers and employees on-call or standby, will have a response time of no more than thirty (30) minutes; and
- (d) Officers and employees will be compensated according to the City's approved budget.

Section 5.04. Lactation Policy

POLICY STATEMENT

The City of Bartlett supports new parents in our workforce and their choices when it comes to breastfeeding upon their return to work after a baby's arrival, recognizing that breast milk is the optimal food for growth and development of infants. This policy is to establish guidelines for promoting a breastfeeding-friendly work environment and supporting lactating employees for up to one (1) year following the birth of a child. The City supports the legal right and necessity of employees who choose to express milk in the workplace.

REASON FOR POLICY

The goals of this Policy include:

- To establish guidelines promoting a work environment that supports breastfeeding at the Bartlett.
- To acknowledge that employees have a right to lactation accommodation.
- To acknowledge the City's obligation to respond to lactation requests from employees.
- To acknowledge the employee's right to file a complaint with the U.S. Department of Labor Wage and Hour Division for any related violation.
- To comply with federal regulations under the Providing Urgent Maternal Protections for Nursing Mothers Act (the "PUMP Act") and other requirements per the Fair Labor Standards Act.

WHO SHOULD READ THIS POLICY

All employees – including all members of the [Leadership / Executive Team], employees inquiring about parental leave, all supervisors and managers, and all new and current employees.

POLICY TEXT

In accordance with the PUMP Act, breastfeeding employees will be provided breaks to express milk during working hours in a lactation space that meets minimum requirements described below. If possible, the break times shall run concurrently with the employee's scheduled break times. However, an employee's scheduled break time may not coincide with the employee's need to lactate or additional time may be necessary. Break times for lactation shall be unpaid only if a non-exempt employee is relieved of all duties and is not interrupted during their break. Exempt employees shall not be docked for such break time.

[With supervisory approval, a non-exempt employee may use personal leave, vacation time, sick leave, comp time, or a flexed work schedule to cover any nonpaid break time].

Section 5.05. Lectures, Meetings and Training

Approved attendance of lectures, meetings, and training programs will be compensated as productive hours worked.

Section 5.06. Holiday Compensation

The City will observe the following official holiday closure schedule:

New Year's Day (January 1)
Martin Luther King, Jr. Day (Third Monday in January)

President's Day (Third Monday in February)
Memorial Day (Last Monday in May)
Independence Day (July 4)
Labor Day (First Monday in September)
Columbus Day (Second Monday in October)
Veterans Day (November 11)
Thanksgiving Day (Fourth Thursday in November)
Day after Thanksgiving (Fourth Friday in November)
Christmas Eve (December 24)
Christmas Day (December 25)
1 Personal holiday to be used within that year

The following policies apply to all holidays and observances:

- (a) Department Heads shall give their officers and employees the opportunity to observe any holiday while still maintaining essential municipal functions. When not possible, Department Heads will ensure their officers and employees are offered alternative holiday time, which must be scheduled and taken within one (1) week of the holiday, whether before or after the holiday; and
- (b) For City observed holiday closures, full time, non-exempt officers and employees are entitled to receive pay equivalent to their standard workday hours; and
- (c) All other non-exempt officers and employees will be given holidays off without pay; and
- (d) In the event a full time, non-exempt employee of the City is required to perform duties on an official holiday closure and an alternative date is not possible, such officer or employee will be paid holiday pay in addition to actual hours worked; and
- (e) If an official holiday closure falls on a Saturday, the holiday will be observed the preceding Friday. If a holiday falls on Sunday, the holiday will be observed the following Monday; and
- (f) All officers and employees must work on the workday immediately preceding and immediately following a holiday, or will forfeit pay for the observed holiday; and
- (g) Observed holidays falling within a full-time officer or employee's approved leave of absence, will not be charged for the day of approved leave, but will be paid holiday pay instead; and
- (h) An officer or employee desiring to observe a religious holiday not observed by the City, must be afforded preference to all other officer and employee requests for leave.

Section 5.07. Longevity Bonus

All full-time officers and employees employed for at minimum one (1) year are eligible for an annual longevity bonus at a rate of five dollars (\$5.00) for each continuous month of service with the City, up to a maximum of two hundred forty (240) months. The longevity bonus pay will be awarded annually to all then current full-time officers and employees, as a lump sum, and will be included in the first pay period of December.

Article VI. Benefits and Deductions

Section 6.01. Badges and Uniforms

- (a) The City will provide all officers and employees with badges to identify them as official City officers and employees.
- (b) Public Works officers and employees will be provided uniform shirts in order to assure a neat appearance and further identify the worker as a municipal employee.
- (c) Police officers will be provided uniforms in accordance with Council approved budgets.
- (d) Officers and employees provided with uniforms must wear, maintain, and return those uniforms upon separation.

Section 6.02. Insurance

- (a) Life and health insurance are provided to all full-time officers and employees through a group insurance policy; and
- (b) This insurance is provided as by the City at no cost to the officer or employee; and
- (c) At the officer or employee's option and expense, dependent insurance coverage is also available; and
- (d) Coverage may be continued with certain limitations consistent with Texas state law.

Section 6.03. Retirement

All regular full-time officers and employees are required to become members of the Texas Municipal Retirement System (TMRS). Enrollment shall be accomplished in accordance with the TMRS guidelines. Details of the retirement plan are outlined in the TMRS handbook.

Section 6.04. Social Security

All officers and employees of the City are covered under the Federal Insurance Contributions Act (FICA). This government insurance alleges to provide retirement, disability, and death benefits and are funded through mandatory payroll deductions by the officer or employee and matched by the City.

Section 6.05. Unemployment Compensation

All employees of the City are covered, as applicable, under the State unemployment compensation program. This program provides payments for unemployed workers in certain circumstances as provided by law. The City pays an unemployment tax on behalf of each employee to finance this benefit.

Section 6.06. Worker's Compensation Insurance

The City participates in Worker's Compensation Insurance coverage for employees. When an employee is injured on-the-job the employee must immediately report the injury to their supervisor or department head.

Section 5.08. Travel Expenses

- (a) All officers and employees will travel and be reimbursed based on the least and most reasonable costs to the City, as determined by the officer or employee, Department Head, and City Administrator.
- (b) All officers and employees who travel to and from approved assignments, and when approved to use their own mode of transportation, will be paid mileage at the then current federal mileage rate, based on the shortest route.
- (c) If required, hotel accommodations will be arranged by the City Secretary. If circumstances dictate, accommodations will be reimbursed upon the submission of a receipt and based on the lowest and most reasonable rates available as determined by the City Secretary.
- (d) Approved per diem will be paid at the rate of \$30.00 per day, and reduced subject to the following qualifications and per meal rates:
 - (i) Per diem will only be paid if the officer or employee is expected to be displaced from home for more than twenty-four (24) hours; and
 - (ii) Approved meals are those first occurring following the beginning of approved travel as determined by the Department Head:
 - (A) If travel is approved to start after 1000 hours, lunch is the first meal; or
 - (B) If travel is approved to start after 1400 hours, dinner is the first meal; or
 - (C) If travel is approved to start after 1900 hours, breakfast is the first meal; and
 - (iii) Breakfast - \$6.50; and
 - (iv) Lunch - \$10.50; and
 - (v) Dinner - \$13.00.

Section 5.09. Performance Appraisal System

The purpose of the system is to improve productivity, to provide better communications between supervisors and those they supervise, to identify needs for training or other remedial actions among the workers, and to provide the cultivation of skills and abilities. Evaluations are aides and will be:

- (a) completed by the Department Head on the City's approved form; and
- (b) completed at least once each year; and
- (c) completed at any other time an employee is being considered for promotion, is in need of remedial action, or immediately following the conclusion of disciplinary action; and
- (d) used in the consideration of promotion eligibility of officers and employees; and
- (e) used in the consideration of disciplinary actions.

Section 5.10. Termination Pay

All employees who terminate employment with the City will receive all pay which may be due, subject to the following qualifications and exceptions:

- (a) All regular and overtime hours actually worked will be paid at the officer or employee's standard rate of pay; and
- (b) Except for reasons of disciplinary termination, officers and employees will be paid for unused vacation hours, up to eighty (80) hours, at their standard rate of pay; and
- (c) All unused sick leave hours are forfeited when an officer or employee separates from employment, except officers and employees who are laid off for economic reasons of the City, who will be paid for unused sick leave hours, up to eighty (80) hours, at their standard rate of pay; and
- (d) Reductions for amounts the employee owes the City or for substantiated damages resulting from negligent, malicious, or intentional acts of the officer or employee with respect to property or assets of the City.

Article VII. Anti-Abuse Policies

Section 7.01. Sexual Harassment Policy

All employees should be able to enjoy a work environment free from all forms of unlawful discrimination, including sexual harassment.

- (a) Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is motivated in whole or in part by a person's sex, which is not welcome and is personally offensive, demeaning or degrading and therefore effectively becomes a term or condition of the workplace.
 - (b) Sexual harassment is a form of misconduct that undermines the integrity of the employment relationship.
 - (i) No employee should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. A finding that an employee has committed any form of sexual harassment will result, at minimum, in a warning being issued and placed in the employee's personnel file.
 - (ii) Additionally, no employee or officer of the City shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts or any other condition of employment or career development. A finding that an employee has committed any such form of sexual harassment will result in severe disciplinary action up to and including transfer, demotion, suspension, or termination from employment.
 - (c) Sexual harassment occurs in many forms, including but not limited to, unwelcome physical contact, verbal abuse, leering, gestures, and more subtle advances and pressure inviting sexual activity. Such conduct includes instances in which:
 - (i) Submission to the advances is made a term or condition for obtaining employment opportunities or avoiding adverse employment action;
 - (ii) Submission to or rejection of the advances is used as the basis for making any employment decision; or
 - (iii) Such conduct creates an intimidating, hostile, or offensive working environment.
- Sexual harassment of any type is strictly prohibited and will not be tolerated. If any employee feels they are being sexually harassed, they should promptly report such fact and advise the harasser that the conduct is offensive and that it must stop immediately. If any such unwelcome interest or conduct does not cease immediately upon demand by the employee, or if the employee is not comfortable confronting the harasser, the employee should immediately report the matter to the employee's supervisor. If such employee is either unable or unwilling to speak with their supervisor about the alleged harassment, the conduct or incident must be reported directly to the next higher level of authority, the department head or the Mayor. Upon any supervisor, department head or officer, receiving a report of alleged sexual harassment, the Mayor and all persons in the alleged offender's chain of command shall be advised of the report and appropriate action shall be promptly taken. The first action taken, in such event, shall include steps calculated to

prevent reoccurrences of any such alleged incidents pending investigation and final resolution of the complaint. Each such report shall be investigated promptly, and appropriate corrective action will be taken with the City Council's concurrence.

- (d) Any employee who complains of sexual harassment in good faith will be protected against retaliation or reprisal for making the complaint. However, the City recognizes that false accusations of sexual harassment can have serious effects on innocent men and women, their reputation, and their families. False accusations of sexual harassment will result in severe disciplinary action up to and including termination.

Section 7.02. Smoking Policy

- (a) The use of tobacco products is strictly prohibited in or within fifty (50) feet of all city owned buildings, vehicles, or other property, except in designated areas.
- (b) Designated smoking areas must be to the rear of city owned buildings and spaces and will not be within fifty (50) feet of any entrance or exit of any city owned building, vehicle, or other property. All designated smoking areas must have a "snuffer" tower and the designated area and "snuffer" will be maintained as necessary by tobacco users.

Section 7.03. Substance Abuse Policy

- (a) The City is committed to providing reliable, safe, healthy, and hazard free service to its Citizens, officers and employees and has a Zero Tolerance Policy regarding substance abuse; and
- (b) The City defines substance abuse as the illegal manufacture, possession, use, solicitation for or sale of drug paraphernalia, controlled substances, or prescription medication without or in violation of a licensed health care professional's supervision, the possession, solicitation for or sale of alcohol while in the workplace, or the excessive use of alcohol that negatively affects work performance; and
- (c) The City will perform pre-employment, post-accident, reasonable cause, and commercial licensed driver drug screening of all officers and employees; and
- (d) As allowed by law, random substance abuse testing may be performed with respect to all officers and employees holding designated safety-sensitive positions; and
- (e) Failure to comply with substance abuse policies will result in appropriate disciplinary action.

Workplace Searches

All offices, desks, file drawers, cabinets, lockers, City vehicles, and other City equipment (including but not limited to computers, email, and voice mail) and facilities or any area on City premises are the property of the City ("City Property") and are intended for business use. Employees should have no expectation of privacy with respect to City Property and/or items stored within or brought onto City Property or on the City's premises. Inspection may be conducted at any time, without notice, at the discretion of the City.

In addition, when the City deems appropriate, employees may be required to submit to searches of their personal vehicles, parcels, purses, handbags, backpacks, briefcases, lunch boxes, or any other possessions or articles brought onto the City's premises.

Section 7.04. Use of Technology

- (e) A. Technology provided by the City, (including, but not limited to computers, networks, wired and wireless communications, printers, and copy machines) must be used in compliance with all applicable federal, State, and City policies, and is provided strictly for work related activities.
- 1. Officers and employees have no right to privacy with regard to technology usage as all City-owned technology is monitored and subject to the Texas Government Code § 552, Public Information Act.
- 2. Misuse of City owned technology will result in appropriate disciplinary action.

B. Prohibited Applications Policy

1. Purpose

To implement an information technology approach focused on protecting the City's sensitive information and critical infrastructure as required by Chapter 620, Texas Government Code, from technology believed to pose a threat to governmental infrastructure, by prohibiting and preventing the download or use of prohibited technologies on any City-owned or issued electronic device.

2. Roles and Responsibilities

- a. All City of Bartlett employees are expected to be familiar with and adhere to the terms of this policy and all sub-policies and procedures.
- b. City employees are prohibited *on any City-issued, owned or leased devices*, from downloading, installing or using the social media service TikTok, or any successor application or service developed, provided, or owned by ByteDance Ltd., such as Tik Tok, or any subsidiary or any prohibited software/applications/developers listed on <https://dir.texas.gov/information-security/prohibited-technologies> or a social media application/service, as referenced in Section 620.005 Texas Government Code. City staff may prohibit the use of TikTok on City devices by limiting network access to the application.

3. Exceptions

- a. Exceptions to the ban on prohibited technologies, as required by state law, may only be approved by the Police Chief or City Administrator:
 - 1) When the use of prohibited technologies is required for a specific business need, such as enabling criminal investigations or for developing or implementing information security measures.
 - 2) Any such exception must be detailed and include (1) the use of measures to mitigate risks to the security of city information during the use of the covered application; and (2) the documentation of those measures.
 - 3) To the extent practicable, exception- based use should only be performed on devices that are not used for other city business and on non-city networks. Cameras and microphones should be disabled on devices for exception-based use.

4. Compliance

Compliance with this policy will be verified through various methods for City-owned, leased, and issued devices, including but not limited to, IT/security system reports. Violations of this policy will result in coaching and repeat offenses may result in disciplinary action up to and including termination of employment.

If the underlying statute, Texas Government Code §§620.001-.006, is declared unconstitutional, enforceable, or vacated by a court of competent jurisdiction, this policy is void.

Section 7.05. Employee Operation of City-Owned Vehicles

- (a) No employee may operate a City-owned vehicle unless the employee possesses a valid driver's license appropriate for that vehicle and is insurable by the City's insurer; and
- (b) Any employee required to operate a City-owned vehicle as part of their duties, must immediately notify the Department Head, should the employee's driver's license expire or be suspended, or the employee becomes uninsurable; and
- (c) The City shall verify, at least annually, that every employee who operates City-owned vehicles has a valid license and insurance; and
- (d) Employees whose positions require the operation of a City-owned vehicle, are expected to obey all traffic laws and avoid accidents at all times, even when driving personally owned vehicles during non-working hours; and
- (e) Employees who fail to maintain a satisfactory driving record and insurability, shall be deemed in violation of the Manual and will be subject to disciplinary action. The following offenses shall be grounds for immediate termination:
 - (i) a conviction for driving under the influence of alcohol or controlled substances; or
 - (ii) operating a City vehicle while their driver license or insurance is invalid.

Article VIII. Adverse Actions

Section 8.01. Violations of Policy

- (a) Any officer or employee who violates the policies set forth herein, will be subject to disciplinary action, up to and including termination, except elected officers and employees who cannot be terminated or reassigned from their elected office. Officers and employees have a limited right to disciplinary actions that are progressive; however, consideration will be given to the individual circumstances when determining the appropriate disciplinary actions to be taken.
- (b) In taking any action with respect to an applicant, officer, or employee, the Department Head shall consider whether the prior history and conduct of the individual evidences that the individual may reasonably be rehabilitated or expected to negatively interfere with the effective services of the City.

Section 8.02. Penalties

- (a) A City Administrator or the Mayor may deny or reject any application, appointment or promotion, or counsel, reprimand, suspend with or without pay, demote, reassign, or terminate any officer or employee, except elected officers and employees who cannot be terminated or reassigned from their elected office, at any time the City Administrator or Mayor determines that such action will promote the efficiency of the City's service; and
- (b) In such event, the officer or employee should be promptly served with written notice and informed that the employee has the right to appeal the matter through the Grievance Procedure; and
- (c) The written disciplinary action should set forth:
 - (i) the specific causes that resulted in the discipline; and
 - (ii) the discipline to be imposed; and
 - (iii) the effective dates of the imposed discipline; and
 - (iv) the consequences if the officer or employee continues to perform in a substandard manner; and
 - (v) contain a statement that the officer or employee may appeal the action; and
 - (vi) an acknowledgment that the officer or employee has received the notice of disciplinary action.
- (d) A copy of the disciplinary action will be given to the officer or employee, and the original will be filed in the officer or employee's permanent personnel file by the City Secretary.

Section 8.03. General Violations

The following violations are specific, but are in no way exhaustive:

- (a) Dishonesty. Taking property without authorization or permission; misuse of employer funds or property; cheating; forging or willfully falsifying reports, records, or documents; misuse of leave; any false action detrimental to the workplace; and

- (b) Disturbance. Fighting; using profane, abusive or threatening language; horseplay; causing injury to fellow employees through deliberate action or gross negligence; disrupting harmonious relationships between employees; and
- (c) Firearms. The illegal control of or possession by any officer or employee of a firearm on or about the person while on duty, is strictly prohibited; and
- (d) Incompetence. Inability or unwillingness to perform assigned work satisfactorily.
- (e) Indifference Toward Work. Failure to remain at work, inefficiency, loafing, carelessness, performing personal and non-City related business during working hours, abuse of eating and rest periods, sleeping or being inattentive during working hours; and
- (f) Insubordination. Willful failure or refusal to perform assigned work or fully comply with instructions or orders as assigned by any supervisor, Department Head, or the Mayor, except this does not apply to imminently dangerous situations. If the officer or employee believes the instruction or order, if followed, would result in physical injury or death to them or another, or result in damage to City assets, the employee may defer action and request a confirmation by the next higher level of management; interfering with the work of others, mistreatment of the public or other employees; leaving work without permission; and
- (g) Misconduct. Any criminal offense or infamous or notoriously disgraceful conduct and other misconduct which could have an adverse effect on the employer; diminishes the confidence or trust of the public in the integrity of the City government; negatively affects workplace relationships; habitual misdemeanor convictions; felony conviction; and
- (h) Misleading and False Identification. Intentionally false statements, deception, or fraud in applications, examinations, representations made for appointment or promotion, or reports; possessing, using, or providing any City equipment, credentials, or services for other than official City; and
- (i) Political Activities. When not on duty or in uniform, an officer or employee of the City may engage in political activity and campaigns for and with respect to any entity. An employee who becomes a candidate for any City office, constitutes a resignation; and
- (j) Sabotage. Deliberate damage or destruction of City equipment or property; altering, removing or destroying City records; advocacy of or participating in unlawful trespass or seizure of City property; encouraging or engaging in slow-downs, sit-ins, strikes, or any other concerted efforts to limit or restrict officers and employees from working; conduct subversive to the proper order, discipline and morale of city employees; and
- (k) Statutory. Any statutory disqualification which makes the individual unfit for the job or failure to meet and maintain requirements of the individual's job description; and
- (l) Substance Abuse. Reporting to work, being on duty, or being on-call or standby in an unfit condition; being under the influence of alcohol; unlawfully under the influence of controlled substances; and
- (m) Unsatisfactory Attendance. Excessive tardiness, neglect of duties, or unauthorized absences will be grounds for dismissal; and

- (n) Violation of Safety Rules. Improper removal of safety guards, fire extinguishers, or other equipment designed to protect employees; failure to use safety equipment; failure to follow safety rules; failure to report an on-the-job injury, vehicle accident, or unsafe condition.

Article IX. Complaint and Grievance Procedures

Section 9.01. General Guidelines

It is the City's goal to treat all Citizens, officers and employees fairly in all respects. Citizens, officers, and employees who feel they have been subjected to unfair treatment or discrimination have the right to present grievances through simple and reasonable procedures. A grievance is defined as any complaint or problem concerning an officer or employee's duties or working conditions. Any officer or employee may present grievances under the procedures outlined below and will be free from restraint, coercion, or reprisal as a result.

Section 9.02. Procedural Steps

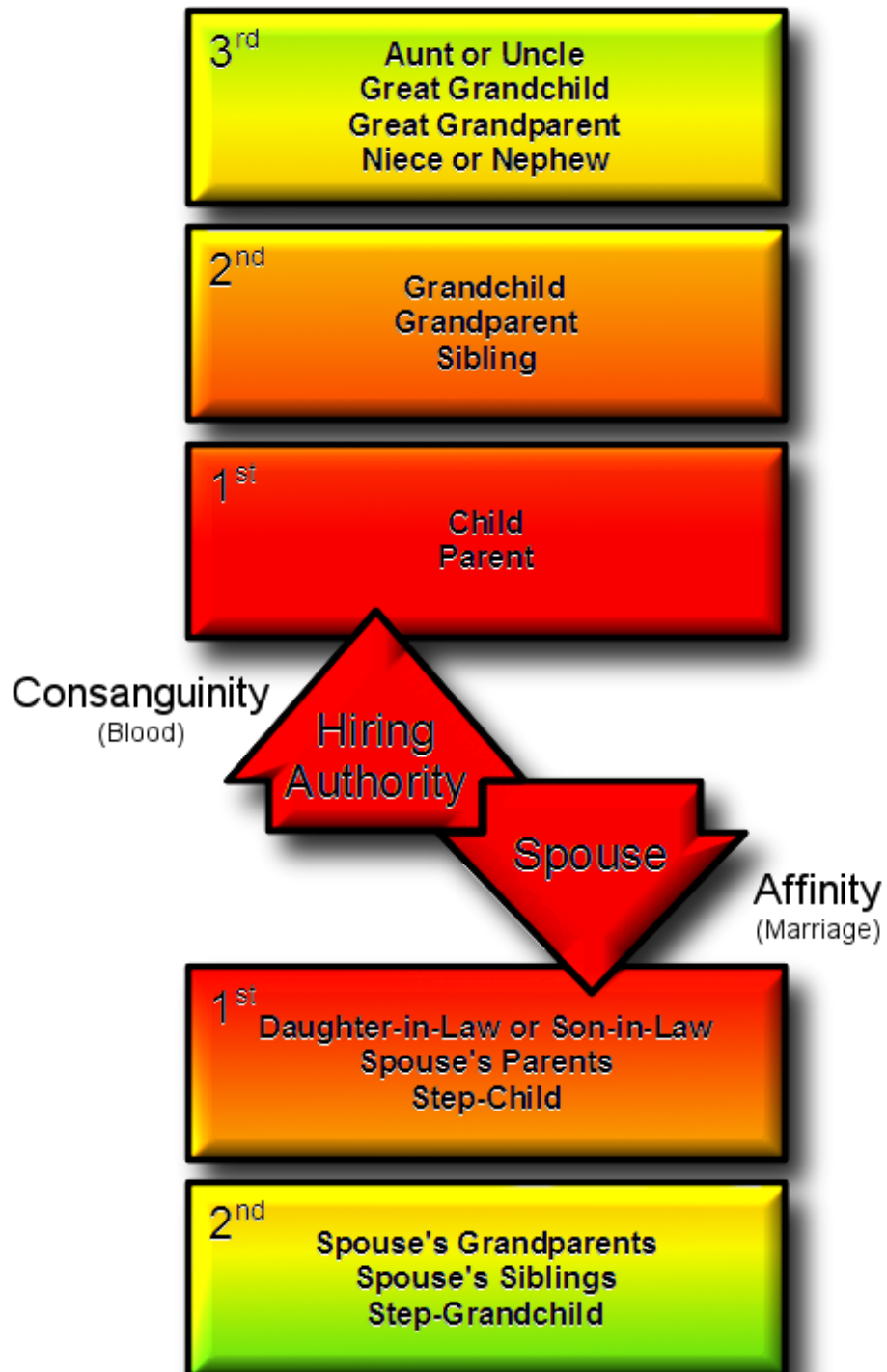
- (a) The grievance shall be in writing, legible, and must include the following information:
 - (i) date, time, and place of the alleged mistreatment, harassment, or discrimination; and
 - (ii) specify the nature of the grievance; and
 - (iii) explain why the action is improper; and
 - (iv) offer a suggested corrective action, and
 - (v) be signed by the complainant; and
- (b) The officer or employee must present the grievance to her immediate supervisor within five (5) calendar days of the alleged action; and
- (c) The immediate supervisor will notify the City Administrator of the grievance within one (1) working day of receipt of the grievance; and
- (d) The immediate supervisor has five (5) working days from the date of receipt of the grievance to deny, amend, or uphold any appeal; and
- (e) (iii) If the grievance is not resolved between the officer or employee and the immediate supervisor, the officer or employee may request a review by the City Administrator. The request must be in writing and filed with the immediate supervisor within three (3) calendar days of the earlier of the immediate supervisor's response or the expiration of the five (5) workday response period; and
- (f) The immediate supervisor shall, within one (1) work day, submit the original grievance, any relevant documentation, and the officer or employee's request to the City Administrator who will have ten (10) working days of the date of the City Administrator's receipt of the request to conduct a review, to deny, amend, or uphold any appeal; and
- (g) (iii) If the grievance is not resolved between the officer or employee and the City Administrator, the officer or employee may request a review by the Mayor. The request must be in writing and filed with the immediate supervisor within three (3) calendar days of the earlier of the City Administrator's response or the expiration of the ten (10) workday response period; and
- (h) The immediate supervisor shall forward the request within one (1) work day to the City Administrator; and

- (i) The City Administrator shall forward, within one (1) work day, the original grievance, any relevant documentation, and the officer or employee's request to the Mayor who will have ten (10) working days of the date of the Mayor's receipt of the request to deny, amend, or uphold any appeal; and
- (j) (iv) If the grievance is not resolved between the officer or employee and the Mayor, the officer or employee may request a hearing before the Council. The request must be in writing and filed with the immediate supervisor within three (3) calendar days of the earlier of the Mayor's response or the expiration of the ten (10) workday response period; and
- (k) The Mayor shall schedule a hearing before the City Council and notify the officer or employee of the date and time the hearing will be held. The City Council may deny, amend, or uphold the appeal, and the City Council's decision shall be final.

Section 9.03. Grievances Without Basis

Grievances are serious matters, and the City encourages officers and employees to file all legitimate, fact-based complaints; equally so, frivolous, baseless, and false grievances are discouraged and will result in disciplinary action.

Appendix 1 - Nepotism Chart



Appendix 2 - Classes Of Employees

Full-Time (“FT”). A full-time officer or employee is an officer or employee serving in a position budgeted for two thousand eighty (2080) or more hours per year. FT officers and employees are eligible for all City offered compensations and benefits.

Part-time (“PT”). A part-time officer or employee is an officer or employee serving in a position that is budgeted for and regularly scheduled to work less than two-thousand eighty (2080) hours per year. PT officers and employees are not eligible for City offered compensations or benefits, except those mandated by State or federal law.

Temporary or Seasonal (“TS”). A temporary or seasonal officer or employee is appointed for a specific period of time and has an anticipated date of termination. TS officers and employees are not eligible for City offered compensation or benefits, except those mandated by State or federal law.

Probationary (“PR”). All new officers and employees, except elected officials, shall be placed in a ninety (90) day probationary period. All officers and employees, except elected officials, are subject to being placed in a probationary status for disciplinary reasons.

Exempt Employees. Exempt employees are those who are not entitled to receive overtime pay for hours worked beyond the standard workweek. These employees are typically salaried and are exempt from the FLSA's minimum wage and overtime pay requirements. Exempt employees often hold managerial, administrative, executive, or professional positions and are compensated based on their job responsibilities rather than the number of hours worked. Exempt employees are expected to fulfill their job duties regardless of the number of hours worked in a week but must still accurately record their hours worked..

Non-Exempt Employees. Non-exempt employees are those who are entitled to receive overtime pay for any hours worked beyond the standard workweek, as defined by the FLSA. These employees are typically paid on an hourly basis and are subject to the FLSA's minimum wage and overtime pay requirements. Non-exempt employees must be compensated at a rate of one and a half times their regular hourly rate for any hours worked in excess of 40 hours per week. Unlike exempt employees, non-exempt employees are eligible for overtime pay and must accurately record their hours worked. Contractors, consultants, and other service professionals are not officers or employees of the City and are not eligible for benefits. Contractors, consultants, and service professionals are paid via invoices and require Internal Revenue Service Forms 1099.

Appendix 3 - Fair Labor Standards Act Summary

The Fair Labor Standards Act (FLSA) is a federal law enacted in 1938, which establishes the minimum wage, overtime pay eligibility, recordkeeping, and child labor standards affecting full-time and part-time workers in the United States. It is crucial for all City employees to understand their rights and obligations under the FLSA to ensure fair and lawful employment practices.

Key Provisions of the FLSA:

Minimum Wage: The FLSA mandates a federal minimum wage, which is periodically adjusted by Congress. As of [current date], the federal minimum wage is \$7.25 per hour. However, individual states or localities may have their own minimum wage rates, and employees are entitled to the higher of the federal, state, or local minimum wage.

Overtime Pay: Non-exempt employees are entitled to overtime pay at a rate of one and a half times their regular rate of pay for all hours worked in excess of 40 hours in a workweek. Overtime pay is calculated based on the employee's hourly rate of pay, and it is important for employers to accurately track and compensate overtime hours. Non-exempt law enforcement officers who are regularly scheduled to work eighty (80) hours or more of work per two-week cycle and exceed eighty-five and one half (85.5) hours of work per two-week cycle is eligible for overtime compensation.

Exempt vs. Non-Exempt Status: The FLSA classifies employees as either exempt or non-exempt based on their job duties and salary basis. Exempt employees are not eligible for overtime pay and typically include executive, administrative, professional, and certain computer-related positions. Non-exempt employees are entitled to overtime pay and include most hourly workers.

Recordkeeping Requirements: Employers covered by the FLSA must maintain accurate records of employees' hours worked, wages paid, and other pertinent information. This includes employee names, addresses, dates of birth (for minors), and employment dates.

Child Labor Protections: The FLSA establishes regulations concerning the employment of minors, including restrictions on the types of jobs they can perform, hours they can work, and conditions of work. These regulations are in place to ensure the safety, health, and educational opportunities of young workers.

Enforcement and Penalties: The U.S. Department of Labor's Wage and Hour Division (WHD) is responsible for enforcing the FLSA. Employers found in violation of the FLSA may be subject to penalties, including back pay, liquidated damages, civil monetary penalties, and injunctions.

Conclusion:

The Fair Labor Standards Act (FLSA) is a cornerstone of labor law in the United States, providing essential protections for workers regarding minimum wage, overtime pay, recordkeeping, and child labor standards. By adhering to the provisions of the FLSA, the City demonstrates its commitment to fair and equitable employment practices, ensuring the well-being and rights of its employees. It is imperative for all City employees and management to familiarize themselves with the requirements of the FLSA to promote compliance and uphold the principles of fairness and justice in the workplace..

Appendix 4 - Controlled Substance Testing Protocol

An immunoassay will be used for the initial test with the following cut-off levels:

SUBSTANCE	<u>INITIAL TEST</u>	- CUT-OFF LEVELS (NG/ML)
Marijuana Metabolites		100
Cocaine Metabolites		300
Opiate (Codeine and Morphine)		*300
Phencyclidine (PCP)		25
Amphetamines		1000
Alcohol		0.04

*25 NG/ML if immunoassay specific for free morphine.

All initially positive tests, using the original sample and at applicant, officer, or employee expense, may be confirmed by gas chromatography/mass spectrometry (GC/MS):

SUBSTANCE	<u>CONFIRMATION TEST</u>	CUT-OFF LEVELS (NG/ML)
Marijuana Metabolites (1)		15
Cocaine Metabolites (2)		150
Opiate (Codeine and Morphine)		150
Phencyclidine (PCP)		25
Amphetamines		500
(1) Delta-9-Tetrahydrocannabinol-9-Carboxylic Acid		
(2) Benzoylcegonine		

Appendix 5 - Acknowledgment Of Receipt

By my signature below, I, _____,
acknowledge:

- (a) I understand the City of Bartlett is an at-will employer and I am subject to termination for any reason or no reason at all, either voluntarily or involuntarily; and
- (b) I understand that the provisions contained in the City of Bartlett Personnel Manual (the “Manual”) are applicable to me; and
- (c) I understand the City of Bartlett (the “City”) will attempt to apply the policies and regulations set forth in the Manual, in a fair and impartial manner to achieve the City's overall objectives; and
- (d) I understand that I will be subject to substance abuse testing and that the compliance with such testing is a condition of continued employment; and
- (e) I understand the City will make every effort to provide a work environment free from all forms of harassment as defined by Title VII of the 1964 Civil rights Act; and
- (f) I understand the City reserves the right to change, modify, add, or eliminate any provisions therein, at any time, with or without notice. Any agreements, promises, or other instrument, whether written or verbal, expressed or implied, made to me, which conflict with the provisions of the Manual, are effective only if in writing and an act of the City Council; and
- (g) I understand that I may file grievances with respect to disciplinary decisions and actions affecting my employment with the City, provided that such grievances are consistent with the policies set forth in the Manual. A decision of the City Council, when applicable, will be final.

I have received a copy of the City of Bartlett Personnel Manual, affirm that I have had an opportunity to ask questions about the terms, provisions, meanings, application, and enforcement thereof, and agree to uphold the policies therein.

Date: _____

Signature of Employee

Signature of City Administrator