



# City Council Agenda Item Report

July 2<sup>nd</sup>, 2013

## Agenda Item

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**SUBJECT: PRESENTATION AND DISCUSSION WITH DIRECTION TO STAFF  
REGARDING REVISIONS AND UPDATES TO THE CITY'S PERSONNEL  
POLICY**

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**1. BACKGROUND/HISTORY**

As Council may recall, staff has been working over a year on revising and updating the current personnel policy handbook that was adopted January 2003. Current policy reflects general law that do not translate to today's organization. Staff felt this process could be done in-house rather than outsourcing estimating between \$40,000- \$80,000. Staff felt there was enough expertise among us to craft such a document to where it could be tailor-made to our own situation better than any outside assistance. Staff created a personnel committee with the original members of Bo Kidd, Chief of Police, Chance Sparks, Director of Planning, and I, and along the way, bringing on Danny Batts, City Secretary and Sylvia Hernandez, Human Recourses. The committee met monthly (2-3 times a month) looking at several other city policies, but narrowing it down to a couple of policies that contained not only current content, trends and so forth but also framework and context. The goal of the committee was not only to bring the policy up-to-date on content and legality but also a document that is not only comprehensive but simplified, easy-to-use and understand with examples and illustrations throughout the document.

After the committee compiled a draft document, the committee met with all departments, City Manager and City Attorney to address any and all comments.

**2. FINDINGS/CURRENT ACTIVITY**

The personnel document was sent out to Council on 6/25/13. Staff will provide a presentation highlighting a few keynote areas that compare and contrast with the existing personnel policy.

**3. FINANCIAL IMPACT**

Savings to Council should it been outsourced - \$40,000 - \$80,000.

**4. ACTION OPTIONS/RECOMMENDATION**

This agenda item is presentation and direction to staff only.

**5. ENCLOSURES**

A. PowerPoint Presentation



## Employee Handbook

*July 2, 2013*  
*Buda City Hall*



## Background: Why Revise?

- Existing handbook last updated in 2003
  - Minor update around 2006-07 to address information technology
  - Vague language
  - Lack of detail
  - Critical policies missing or substantially out of date
- Major city changes since 2003
  - Employee growth
  - New departments
  - More complex organization
  - Multiple new city administrators/managers
  - Transition to Home-Rule
- Nationwide/State personnel changes (legal, etc.)
  - Drug & alcohol
  - Workplace harassment
  - Family Medical Leave
  - ADA
  - Emerging technology



## Our Approach

- Internal process – saved \$60K-\$80K & more customized to our needs
- Established Personnel Policy Team to research & develop new policy
  - Brian LaBorde, Assistant City Manager
  - Chance Sparks, Director of Planning
  - Bo Kidd, Chief of Police
  - Danny Batts, City Secretary
  - Sylvia Hernandez, Human Resources Manager
- Several cities researched including, but not limited to San Marcos, Seguin, Shenandoah, Lufkin, Deer Park, etc.
- Goal: incorporate best practices in a manner that is easy for average employee to understand
- Several meetings with all department heads to discuss issues along the way
- Entire document reviewed by legal staff
- Entire document reviewed by a certified HR manager

## Purpose of Personnel Policies

- Brings structure & expectations to the organization & employees
- Assist day-to-day decision-making
- Provides internal controls & predictability
- Effective and consistent communication
- Clarifies expectations from the City to employees
- Educates workforce
- Promotes enforcement of same rules
- Reduces risk
- Promotes safety, health & welfare
- Provides defense in discrimination & harassment suits
- Informs employees of their rights



## Quick Comparison

Old Policy	New Policy
Welcome Operating Employment Compensation Benefits Electronic Access	Authority & Administration Recruitment & Employment Compensation Leaves Benefits Employee Records General Rules and Conduct City Communications & Technology Drug & Alcohol Policy Work Environment, Discrimination & Harassment Employee Separation Discipline Grievances

## Chapter 1: Authority & Administration

- Establishes City Manager as the authority
- Roles of Department Heads
  - Can establish dept. policies, subject to city manager approval
- Establishes applicability & relation to other laws/policies
- Sets structure for how the policy will be administered



I have the conch! Let me speak!



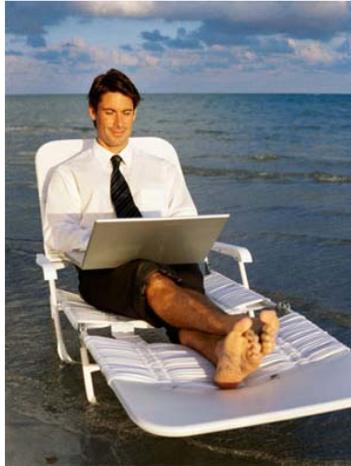
## Chapter 2: Recruitment & Employment

- Establishes a clear process for recruiting new employees
- Addresses introductory periods in greater detail
- Discusses other types of employment
  - Promotion/transfer
  - Demotion
- Gives detailed discussion of nepotism
- Addresses confidentiality issues, particularly in regard to HIPPA



## Chapter 3: Compensation

- Major clarifications to how compensation is calculated
  - Heavy use of examples
- Explains how COLA works & that it is not guaranteed
- Addresses issues of interim pay
- Addresses job reclassification
- Explains payment schedule
- Explains & clarifies overtime pay & compensatory time
  - Heavy use of examples
- Discusses call out duty
- Provides detail for termination & final pay



## Chapter 4: Leaves

- Holiday, military, sick, bereavement, etc. are largely unchanged—just clarified
- FMLA modernized to reflect 2008 revisions to law
- Vacation modified to make the time periods more clear
  - Also added a payout cap on vacation upon separation
- Added an inclement weather policy for weather emergencies

## Chapter 5: Benefits

- Benefit eligibility changed to 1<sup>st</sup> day of month after 30 days of continuous employment (standard for all cities)
- Explains several benefits, such as retirement & insurance
- Tuition reimbursement unchanged
- Worker's compensation explained in detail to meet Federal requirements
- Existing wellness incentive program incorporated into policy
- Sick leave donation program formalized & evaluated for fairness & HIPPA compliance

## Chapter 6: Employee Records

- Primarily addresses legal issues related to privacy of employee records
- Informs employees of what can/can't be made public as a government worker
- Requirements to change contact information



## Chapter 7: General Rules of Conduct

- Substantial revision & clarification throughout the chapter
- Ethics, including gifts & gratuities
- Prohibited practices
- Attendance & Absenteeism
- Personal appearance & dress code
  - Very detailed with lots of examples
  - Differences between office workers, field workers, uniformed
- Appropriate communication & Chain-of-Command
- Outside employment & “moonlighting”
- Political activity
- Residency & emergency response
- Safety
- Travel
- Use of City vehicles
- Solicitation

## Chapter 8: City Comm. & Tech.



- Existing policy was already good and detailed
- Added discussion of the Public Information Act
- Added discussion of digital media & social networking
- Mobile communication device policy updated

## Chapter 9: Drug & Alcohol Policy

- Substantially updated to meet current regulations, practices and case law
- Much more detailed
- Discusses reasons for each type of testing
  - Includes random for safety-sensitive, as legally allowed
- Implications of test refusal
- Relationship to DOT regulations
- Supervisory procedures
- Self-identification & employee resources



## Chapter 10: Work Environment

- Explains all forms of workplace harassment and establishes policies consistent with laws and court cases
- Not just sexual harassment – all types and with examples
- Responsibility how to report harassment
- Liability for harassment
- Treatment of those with disabilities
- Equal Employment Opportunity
- At-Will Employment
- Weapons policy
- Clean Air policy



## Chapter 11: Employee Separation

- Discusses each type of employee separation:
  - Resignation
  - Retirement
  - Abandonment
  - lay-off
  - Termination
- How benefits are addressed in each circumstance



## Chapter 12: Discipline

- Provides a detailed progressive discipline policy
- Counseling
- Oral/Written Warning
- Written Reprimand
- Disciplinary Probation & Performance Improvement Plan
- Involuntary demotion or reduction in pay
- Suspension
- Termination



## Chapter 13: Grievances

- New topic
- Sets a basic process for reporting issues
  - Improper application of rules, regulations & procedures
  - Unfair treatment
  - Illegal harassment or discrimination
  - Improper application of fringe benefits
  - Improper working conditions

