# Administrative Directive & Policy Manual

This manual contains all Administrative Directives and Personnel Policies and Procedures governing employment related issues within the City of Allen. The purpose of this manual is to provide employees with a comprehensive source of information on the formal policies and procedures to be followed as an employee of the City of Allen. The policies themselves are designed to create a workplace that is efficient, united, responsive, and respectful.

The issuance of this manual in no way constitutes a contract between the City and its employees or changes the at will nature of employment with the City of Allen in any way. No manual can anticipate all circumstances that may arise. Exceptions to this manual or actions taken that are not covered within the manual remain the sole prerogative of the City Manager.

**Applicability:** These policies apply to all City employees regardless of position unless otherwise noted in a specific policy.

**Enforcement:** Enforcement of these policies will be handled in the manner prescribed by the individual policies. The general and final authority for human resources management rests with the City Manager, who may delegate it as necessary and proper, except for matters reserved to the City Council.

There are two general kinds of policies contained within this manual. Administrative Directives are developed by the administrative department and approved by the City Manager. Administrative Directives deal mostly with on the job activities and procedures. Personnel Policies & Procedures are created by the Human Resources Department and must be approved by the City Council to take effect. These policies cover conduct, benefits, standards of conduct and termination, and other issues tied to employees instead of job tasks.

Administrative Directives may be revised at the discretion of the City Manager. Personnel Polices & Procedures may only be revised after approval by the City Council.

Questions, comments, or suggestions on this manual or the policies contained herein can be directed to the Human Resources Department.

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| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: SEPARATION CELEBRATIONS AND FUNCTIONS** | **NUMBER: ADMIN-1** |
| **EFFECTIVE DATE: DECEMBER 31, 2023** | |
| **AMENDS/SUPERSEDES: JULY 25, 2018, MAY 27, 2009** | **APPROVED:**<br>_____<br>**ERIC ELLWANGER, CITY MANAGER** |

# EMPLOYEE SEPARATION CELEBRATIONS AND FUNCTIONS

## I. Purpose

The City recognizes that a standard procedure and process is needed to recognize full-time employees who are voluntarily separating employment due to retirement or resignation to ensure a consistent, high quality presentation of such celebrations/functions.

## II. Types of Celebrations and Functions

All City-funded celebrations/functions will be held in a City owned and operated facility unless otherwise stated. Authorized costs for full-time employee celebrations/functions and gifts shall be assumed by the terminating employee's Department, unless otherwise determined by the City Manager.

## III. Budget/Gifts

The maximum budget for a celebration event, including all costs for food, beverages and other items (exclusive of gifts), for celebrations/functions are listed below.

A. Celebration/Function: The maximum budget for a celebration event, including all costs for food, beverages and other items (exclusive of gifts), are based on years of service with the City of Allen, as listed below:

i. Less than 5 years of service to the City of Allen:

a. No city funds shall be contributed toward employee separation event.

ii. Between 5 - 9 years of service to the City of Allen:

a. Celebrations/functions are limited to $10 per year of service (ie: 5 years of service allows for $50 and 9 years of service allows for $90) allocated for the purchase of cake and punch.

b. Attendees may contribute toward the cost of other food such as hors d'oeuvres, etc. The City of Allen will not pay for gifts to terminating employees unless the employee is retiring from TMRS.

iii. Between 10 – 19 years of service to the City of Allen:

a. Celebrations/functions are limited to $250 budget

iv. With 20 or more years of service to the City of Allen:

a. Celebrations/functions are limited to $500 budget

B. Gifts: The City of Allen may recognize an employee for their City of Allen years of service based on the following criteria:

i. An employee with 10 years of service or more **and** eligible for retirement with TMRS may receive the following:

a. an item from a local jeweler to recognize the employee for their time and service to the City of Allen, with a maximum value of $500.

b. a City of Allen commemorative Street Name Blade, to be fabricated by the Engineering Department

## IV. Time Limit for Approved Functions

City employee celebrations shall last no longer than two hours. When held on a City workday, they shall begin no earlier than 4 p.m. and must conclude within two hours. The host Department Director shall ensure compliance with the stated limits.

## V. Host Department Responsibilities

The Department Director hosting a celebration/function on behalf of the City of Allen shall be responsible for exercising sound business judgment in both the conduct and control of the event, including the time limits established in Section 3. The Department Director must have an awareness of potential circumstances that might arise regarding our employees, guests or property.

## VI. Policy Exceptions

In the event that a terminating employee declines a celebration/function, no substitution or compensation will be provided in lieu of the celebration/function. Celebrations/functions under Section 2 may involve circumstances meriting exception to the stated policy, such as the time limitations and costs. ***Exceptions to this policy shall be granted only by the City Manager.***

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: OFFICE/BUILDING POLICY** | **NUMBER: ADMIN-2** |
| **EFFECTIVE DATE: MARCH 17, 2016** | |
| **AMENDS/SUPERSEDES: MAY 22, 2000** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## OFFICE/BUILDING POLICIES AND PROCEDURES FOR THE MUNICIPAL COMPLEX

Employees located in all City buildings will follow the Office/Building Policies and Procedures guidelines as outlined in this policy. The Allen Public Library, the Fire Department, the Police Department and the Joe Farmer Recreation Center each have a departmental policy pertinent to their specific conference rooms, meeting rooms and break rooms.

### I. ENFORCEMENT OF OFFICE/BUILDING POLICIES AND PROCEDURES

Supervisors are to enforce the guidelines of the Office/Building Policies and Procedures. Failure to comply with the policies could result in disciplinary action under the City's Personnel Policies and Procedures.

### II. PARKING

City Hall employees will park in the south and southwestern parking lots to allow visitors and citizens access to the closest parking spaces.

### III. FOOD AND BEVERAGES – PUBLIC AREAS AND MEETING ROOMS

Food and beverages are not allowed in the public areas unless approved by the City Manager. If applicable, consumption of food and beverages will be allowed in all conference rooms for meetings with the City Council, City staff, and/or board members/visitors/citizens attending the meetings in order to conduct official City business.

Consumption of food and beverages in the Municipal Complex for special occasions and events in the Council Chambers and public meeting rooms is covered under separate policy.

### IV. FOOD AND BEVERAGES – EMPLOYEES

Employees are prohibited from consuming meals in all areas of the Municipal Complex except the break room. Employees will be permitted to consume snack foods and beverages at their desks. However, no hot foods (i.e., popcorn, hot pockets, sandwiches) will be allowed at the desk area. Coasters will be furnished and should be used for beverage containers to prevent damage to the furnishings.

Centralized coffee preparation is allowed in designated areas. Coffee/other beverage preparation in private offices and individual workstations is prohibited.

## V. SMOKING OR TOBACCO USE

The Municipal Complex is designated as a tobacco-free facility. The use of all tobacco products is strictly prohibited inside the building and on all grounds surrounding the complex with the exception of the patio located outside the break room, the plaza area of the first floor east wing, and all parking lots. All trash shall be placed in the proper receptacles. The use of electronic vaping devices* is prohibited inside City facilities and in City vehicles.

**Electronic vaping device* means any electronic device composed of a mouthpiece, heating element, battery and electronic circuits that provides, or is manufactured or intended to provide, a vapor of liquid nicotine and/or other substances mixed with propylene glycol and/or other substances delivered or deliverable to the user that he/she can inhale in simulation of smoking. This term shall include every version and type of such devices whether they are manufactured or marketed as electronic cigarettes, e-cigarettes, electronic cigars, e-cigars, electronic pipes, e-pipes, electronic hookahs, e-hookahs or under any other product name or design.

## VI. POSTING OF ANNOUNCEMENTS

All official City postings must be approved and initialed by the City Secretary or designee prior to posting on the official bulletin board. Sufficient time for review must be allowed prior to posting.

Display or posting of materials on any department bulletin boards must be approved by the Department Head. The Department Head shall affix his/her initials in the lower right hand portion of the material to be displayed or posted. Any item not bearing the initials of a Department Head shall be removed immediately and discarded.

Posters or notices advertising religious, political or commercial events of products will not be allowed on any departmental bulletin boards.

Information to be included on the City website should be forwarded to the Public Information Officer.

Special exceptions for postings of announcements may be authorized by the City Manager.

## VII. FURNITURE AND DECORATIONS

Fans/heaters may be used on a temporary basis and should be kept out of public view.

Only three prong, grounded, industrial extension cords (no orange ones!) may be used and the Maintenance Department must approve the use.

Any items to be hung on the wall (artwork, diplomas, maps, etc.) need to be framed or have a finished taped border (for example - finished tape border on laminated maps prepared by Keep-Safe Laminating). These items are to be reviewed in advance and approved by the Department Head and/or the City Manager. Wall calendars and large wall planners are to be kept within an employee's workstation or private office and not displayed in public view. The calendars and wall planners do not need to be framed. Cartoons, news clippings and posters are prohibited. No items will be hung, attached, or affixed to the building structure or walls, doors, windows or any article of furniture except as approved under this policy. Only the Maintenance Department will be authorized to hang any approved items.
Bulletin boards, except when incorporated as part of a workstation, are prohibited. However, departmental bulletin boards that have been authorized by the Department Head are allowed. Only offices/workstations equipped with fabric walls or material intended for such use may use pushpins to secure maps and other approved items.

Radio volume must be such that it does not disturb others.

No items will be placed on the top of the systems furniture or the overhead bins. All personal items should be kept to a minimum to maximize the individual workspace. Personal photos should be framed and placed on desktops, credenzas, bookcases or systems furniture. All desk accessories should be complimentary to the furniture and décor.

Plants should be limited and placed in containers (baskets, brass, plastic, ceramic, etc.) that include a drip-pan to eliminate the chance of leakage. Decorative brass or colored containers are suggested for consistency with the décor of the complex. Pots made of unglazed clay or paper are prohibited. Plants should not spread over the desk/credenza top. Personal plants will be the responsibility of the employee. Live plants placed in appropriate containers on the floor in any private office or individual workstation should not create an obstacle for the traffic flow and will be maintained by the respective employee. The Parks and Recreation Department will oversee all activity concerning the upkeep of the live plants in the common areas that are used as decoration throughout City Hall.

No candles will be allowed.

All public counters will remain free of clutter including, but not limited to, literature and literature holders.
The Department Head may require at any time that a "decoration or furnishing" be removed if it is deemed to be in "poor taste" or disruptive to a professional work environment.

The purchase and placement of art and decorations in the large open or common areas will be undertaken by the City Manager and the corresponding Departments.

## VIII. SIGNAGE

No signage, other than approved with the complex plan, is permitted without approval by the City Manager and must be consistent with existing signage. All signage must be installed or hung by the Maintenance Department.

## IX. BREAK ROOM

No personal dishes, silverware or appliances will be stored in the employee break room overnight. At the end of the week, the Cleaning Crew will discard any silverware, coffee cups, or dishes left in the kitchen.

Break room refrigerators and freezers may be used for short-term storage of food and beverages. At the end of the week, the Cleaning Crew will discard any items left in the refrigerators or freezers.

No small/portable refrigerators will be allowed in the Municipal Complex unless authorized by the City Manager. Microwaves will only be allowed in the break room, the City Council kitchen and the third-floor copy room.

All trash should be placed in the proper receptacles.

## X. WAITING AREAS

All waiting areas are the responsibility of the departments that utilize the waiting area. These areas must be continually checked to ensure that they are neat and tidy and clear of trash and clutter. The waiting areas will be checked each evening upon departure.

The Cleaning Crew will clean each waiting area during routine evening rounds.

## XI. RESTROOMS

No personal effects, toiletries or grooming items will be placed in the restrooms accessed by the public.

## XII. KEYS AND LOCKING SYSTEM

Copying or loaning any issued key for the complex is strictly prohibited.

All offices and main doors shall be locked at the end of each working day.

Additional information will be provided at a later date.

## XIII. CONFERENCE ROOM AND MEETING ROOM SCHEDULING

All conference rooms will be reserved prior to the meeting with the staff liaison listed below. All staff in attendance at the meetings will be responsible for discarding all

trash and returning the room to its original condition before leaving the room. Food and beverages are allowed for meeting purposes if approved by the appropriate Department Head.

Scheduling of common conference rooms, training rooms or the Council Chambers for City meetings in which public or private business is to be conducted will occur as follows:

Administration –

Council Chambers – City Secretary Department
Council Conference Room – City Secretary Department
City Manager's Conference Rooms – City Manager's Office
Human Resources Conference Room – Human Resources Department
Human Resources Training Room – Human Resources Department
Plan Review/Small Conference Room – Engineering Department
Large Conference Room/1st floor – Engineering Department
Community Services Conference Room – Community Services Department
Finance Conference Room – Finance Department
Parks and Recreation Conference Room – Parks and Recreation Department

Police Department –

Training Room – Police Department Training Officer

Library –

Community Room – Library Staff
Conference Room – Library Staff

Joe Farmer Recreation Center –

Community Room – Recreation Center Staff
Bethany Lakes Club House – Recreation Center Staff

## XIV. COUNCIL CHAMBERS AND PUBLIC MEETING ROOMS

Policies and procedures for the Council Chambers and public meeting rooms are covered under a separate policy.

## XV. STORAGE

All departmental items will be stored in the department area with the exception of all official City records. All official City records will be stored under the direction of the City Secretary's Department. Record Liaison Officers are responsible for complying with the Local Government Records Act and keeping all storage areas neat and organized.

## XVI. REPAIRS

The Maintenance Department must make any and all repairs. No pins, nails, glue, tape or any other device or adhesive may be used unless provided and approved by the Maintenance Department.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: OPEN GOVERNMENT** | **NUMBER: ADMIN-3** |
| **EFFECTIVE DATE: JUNE 30, 2004** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## OPEN GOVERNMENT

*Under the fundamental philosophy of the American constitutional form of representative government that adheres to the principle that government is the servant and not the master of the people, it is the policy of this state that each person is entitled, unless otherwise expressly provided by law, at all times to complete information about the affairs of government and the official acts of public officials and employees. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.* – Excerpt from the Texas Public Information Act

### I. PURPOSE

The purpose of this policy is to establish reasonable guidelines in accordance with the Texas Public Information Act as set forth in Chapter 552 of the Government Code, (sufficient citation) formerly known as the Texas Open Records Act, and is referred to as the "Act" in this Policy. This Policy provides necessary background regarding public information and sets forth the appropriate procedures for handling requests for information that are made under the Act.

### II. POLICY

The Act gives the public the right to request access to public information. It shall be the policy of the City of Allen (the "City" ) to comply with the provisions of the Act.

All information that is collected, assembled or maintained under a law or ordinance or in connection with the transaction of official business by or for the City is considered public information under the Act shall be made available to the public during normal business hours according to this Policy, unless such information is excepted from public disclosure under the Act. Only information excepted from disclosure under the Act may be withheld from disclosure to the public.

The Act is triggered when a person submits a written request to the City. The request must ask for records or information already in existence. The Act does not require the City to create new information, to do legal research, or to answer questions. If the City receives a verbal request for information, it may require the

requestor to submit that request in writing because the City's duty to request a ruling from the attorney general arises only after it receives a written request.
A person can ask to view the information, get copies of the information, or both. If a request is for copies of information, the City may charge for the copies. If a request is only for an opportunity to inspect information, then usually the City may not impose a charge on the requestor. However, under certain limited circumstances the City may impose a charge for access to information.

**Exceptions to the Act.** Although the Act makes most government information available to the public, some exceptions exist. If an exception might apply and the City wishes to withhold the information, the City generally must, within ten business days after receiving the request, refer the matter to the Office of the Attorney General (OAG) for a ruling on whether an exception applies. If the OAG rules that an exception applies, the City will not release the information.

A person who requests public information has the right to:
- Receive treatment equal to all other requestors.
- Receive a statement of estimated charges in advance.
- Choose whether to inspect the requested information, receive a copy of the information, or both.
- Be notified when the governmental body asks the OAG for a ruling on whether the information may or must be withheld.

A person who requests public information has the responsibility to:
- Submit a written request according to the City's procedures.
- Include enough description and detail of the requested information so that the City can accurately identify and locate the requested items.
- Cooperate with the City's requests to clarify the type or amount of information requested.
- Respond promptly in writing to all written communications from the City (including any written estimate of charges).
- Make a timely payment for all valid charges.
- Keep all appointments for inspection of records or for pick up of copies.

The City in responding to information requests has the right to:
- Request and receive clarification of vague or overly broad requests.
- Request an OAG ruling regarding whether any information may or must be withheld.
- Receive timely payment for all copy charges or other charges.
- Obtain payment of overdue balances exceeding $100.00, or obtain a security deposit, before processing additional requests from the same requestor.
- Request a bond, prepayment or deposit if estimated costs exceed $100.00.

The City in responding to information requests has the responsibility to:
- Treat all requestors equally.
- Inform the requestor of cost estimates and any changes in the estimates.
- Confirm that the requestor agrees to pay the costs before incurring the costs.

- Provide requested information promptly.
- Inform the requestor if the information will not be provided within ten business days and give an estimated date on which it will be provided.
- Cooperate with the requestor to schedule reasonable times for inspecting or copying information.
- Inform third parties if their proprietary information is being requested from the City.
- Inform the requestor when the OAG has been asked to rule on whether information may or must be withheld.

This Policy does not prevent City employees from continuing to provide verbal responses to informal inquiries by the public regarding readily available City information.

## III. AUTHORITY/DUTY

The City Manager designated by the Act as the "Officer for Public Information" hereby appoints the City Secretary to serve as the "Officer's Agent" and shall be the City's authority for releasing records in accordance with the procedures set forth in the Act with the exception of records relating to the Fire Department, Municipal Court, Police Department, and Human Resources. In the City Secretary's absence, the Public Information Officer shall serve as the "Officer's Agent." The Directors of these departments are hereby designated as agents for the Officer for Public Information and shall be authorized to release department records according to the Act but shall also be required to provide a copy of the request to the City Secretary.

- The Municipal Court Administrator shall authorize the release of court records in accordance with rules adopted by the Texas Supreme Court, Appendix A of Rule 12 and other applicable law.
- The Fire Chief shall authorize the release of fire and ambulance/medical records in accordance with the Act, the Health and Safety Code, and other applicable law.
- The Police Chief shall authorize the release of law enforcement and police records department records in accordance with the Act and other applicable law.
- The Director of Human Resources shall authorize the release of employee records in accordance with the Act and other applicable law.

The Officer for Public Information and each agent thereof shall: (1) make public information available for public inspection and copying; (2) carefully protect public information from deterioration, alteration, mutilation, loss, or unlawful removal; and (3) repair, renovate, or rebind public information as necessary to maintain it properly.

It is the duty of the Officer for Public Information and each agent thereof to "promptly" produce requested records for inspection or duplication, or both. The Officer for Public Information and each agent thereof is allowed, under the Act, to take a reasonable amount of time to comply with a public information request. The Act requires the City to promptly produce the requested records. The Officer for Public Information and each agent thereof are encouraged to produce the requested records within 5 business days after receipt of a written request. However,

*if the Officer for Public Information or agent thereof cannot produce the information within 10 business days, after receipt of a written request the requestor must be notified in writing of this fact and provided with a date and hour within a reasonable time when the information will be available. The Officer for Public Information complies with the request by:(1) providing the public information for inspection or duplication in the offices of the City; or (2) sending copies of the public information by first class United States mail if the person requesting the information requests that copies be provided and pays the postage and any other applicable charges that the requestor has accrued under the Act.*

The City or its officials are not responsible for: (1) the use made of the information by the requestor; or (2) the release of information after it is removed from a record as a result of an update, a correction, or a change of status of the person to whom the information pertains.

## IV. DEFINITIONS

"Medium" means on which public information is recorded include: (1) paper; (2) film; (3) a magnetic, optical, or solid state device that can store an electronic signal; (4) tape; (5) Mylar; (6) linen; (7) silk; and (8) vellum. The general forms in which the media containing public information exists include a book, paper, letter, document, printout, photograph, film, tape, microfiche, microfilm, photostat, sound recording, map and drawing and a voice, data, or video representation held in computer memory.

"Normal Business Hours" means between 8:00 a.m. and 5:00 p.m. Monday through Friday, except for City-observed holidays as authorized by the Allen City Council.

"Officer of Public Information" means the City Manager, and the designated agents.

"Officer's Agent" means and includes the City Secretary, Fire Chief, Municipal Court Administrator, Police Chief, and the Director of Human Resources.

"Promptly" means that the Officer for Public Information or agent thereof may take a reasonable amount of time to produce the information. What constitutes a reasonable amount of time depends on the facts in each case. The volume of information requested is highly relevant to what constitutes a reasonable period of time.

"Public information" means information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business: (1) by the City; or (2) for the City and the City owns the information or has a right of access to it.

"Requestor" means a person who submits a request to the City for inspection or copies of public information.

## V. TEXAS LAW

The Act authorizes the City to establish reasonable procedures for inspecting or copying public information and to inform requestors of these procedures.

The Act provides the following:

1. A requestor shall be allowed to inspect or to copy public information, or to do both. The Act does not authorize a requestor to remove an original copy of a public record from the City. It is the policy of the City that when a copy is requested, a City employee shall make the copies on behalf of the requestor.

2. The Officer for Public Information or the agent thereof shall treat all requests for information uniformly without regard to the position or occupation of the requestor, the person on whose behalf the request is made, or the status of the individual as a member of the media.

3. The Officer for Public Information or the agent thereof shall provide an appropriate area for a requestor to inspect the requested records.

4. A requestor must complete the examination of the information not later than the 10th day after the date the Officer for Public Information or agent thereof makes it available to the person. The time may be extended if a requestor files a written request with the Officer for Public Information or the agent thereof.

5. If the City is unable to comply with a request to produce a copy of information in a requested medium for any of the reasons described by the Act, the City shall provide a paper copy of the requested information or a copy in another medium that is acceptable to the requestor. The City is not required to copy information onto a diskette or other material provided by the requestor but may use its own supplies.

6. The City may ask a requestor to clarify a request for information if the request is unclear. Also if a large amount of information has been requested, the City may discuss with the requestor how the scope of the request might be narrowed, but the City may not inquire into the purpose for which information will be used. The City may, however, make certain inquiries of a requestor who seeks information relating to motor vehicle records to determine if the requestor is authorized to receive the information under the governing statute.

7. The Act applies only to information already in existence. Thus, the Act does not require the City to prepare new information in response to a request. Nor does the Act require the City to inform a requestor if the requested information comes into existence after the request has been made. Consequently, the City is not required to comply with a continuing request to supply information on a periodic basis as such information is prepared in the future. Nor does the Act require the City to prepare answers to questions or to do legal research.

8. If the City receives a request for information for which it determines it has already furnished or made copies available to the requestor upon payment of applicable charges the City may respond to the request by certifying to the requestor that it has already made the information available to the person. The certification must include a description of the information already made available, the date of the governmental body's receipt of the original request for the information, the date it furnished or made the information available, a certification that no changes have been made to the information, and the name, title and signature of the officer for public information, or his agent, who makes the certification.

9. A subpoena duces tecum or request for discovery issued in compliance with a statute or rule of civil or criminal procedure is not considered to be a request for information under the Public Information Act.

10. If the requested information is unavailable at the time of the request to examine because it is in active use or in storage, the Officer for Public Information or agent thereof shall certify this fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available for inspection or duplication.

11. If the Officer for Public Information or agent thereof cannot produce public information for inspection or duplication within ten business days after the date the information is requested, the Officer for Public Information or agent thereof shall certify that fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available for inspection or duplication.

## VI. PUBLIC INFORMATION SIGN

The City shall prominently display a sign in the form prescribed by the Texas Building and Procurement Commission (formerly named the General Services Commission) that contains basic information about the rights of a requestor, the responsibilities of the City, and the procedures for inspecting or obtaining a copy of public information under the Act. The sign shall be displayed at one or more places in the administrative offices of the City in the City Hall where it is plainly visible to members of the public who request public information in person and to employees of the City whose duties include receiving or responding to requests under the Act.

## VII. EXCEPTIONS TO THE ACT; EXAMPLES

There are many types of information that are not required to but may be released to the public under the Act, as well as some types of information that must be kept confidential and may not be disclosed to the Public in accordance the Act or other law. When the City receives a written request for information that the City wishes to withhold from public disclosure under one of the exceptions under the Act, the City shall follow the procedures set out in the Act.

Some common examples of confidential information that may not be disclosed to the public are:

- Names, addresses, phone numbers, photographs of peace officers;
- Certain law enforcement records;
- Certain personnel and financial information;
- Certain documents related to litigation; and,
- Trade secrets/proprietary information that would give advantage to competitors or bidders.

For a list of other exceptions to disclosure, please refer to Appendix A. Also, Appendix B provides a detailed list of types of public information that must be disclosed to the public according to the Act.

## VIII. PROCEDURES FOR COMPLYING WITH THE ACT

A. *Routine Requests* – For the benefit of the public, the City provides access to many types of public records on its web site located at www.cityofallen.org. As a courtesy, City employees should inform requestors when the information being sought is also available on the City's web site.

City employees may respond to verbal requests for information that are obviously public in nature and not excepted from public disclosure, provided the information is readily available. Such information would include the following types of documents*:

a. City Ordinances and Resolutions
b. Meeting Minutes
c. Maps
d. Budgets
e. City Publications, i.e., pamphlets, Land Development Code

*The Officer for Public Information and the agents thereof (and City employees) may require the requestor to submit a written request especially if the verbal request is unclear or if the requestor is seeking a large amount of readily available information.

B. *Formal Requests* – A request under the Act must be submitted in writing either by paper, fax or email.

1. *All* requests for records, other than those for informational purposes, shall be submitted in writing regardless of the source, and shall be submitted to the Officer for Public Information or the applicable agent thereof responsible for the requested record (City Secretary, Fire Chief, Municipal Court Administrator, Police Chief or Director of Human Resources). The requestor may submit the request in letter form, by email, by fax, or by completing the "Public Information Request" form provided by the City.

    - Email requests must be sent to the City Secretary. Email requests are not to be completed by the City recipient of the request. The City

recipient of the email request is to direct the requestor to email the City Secretary.

- Facsimile requests are not to be completed by the City recipient of the request. The City recipient is to forward the facsimile request to the City Secretary.
- The City Secretary will determine and notify the appropriate City record holder and coordinate the dissemination of the record as requested.

2. Once a request is received by the Officer for Public Information or applicable agent thereof responsible for releasing the record, the such person shall make the following determinations:

   a. If the record requested is deemed public information under the Act the such person shall within <u>five business days but in no case later than 10 business days after receipt of the request</u>:

      (1) advise the requestor of the availability, time period for compliance with the request

      (2) advise requestor of fees associated with the request

      (3) release information

   b. If the record requested is believed excepted from public disclosure under the Act and not specifically addressed by a prior OAG ruling, a court case or other statute, such person shall consult with the City Attorney and request (or direct the City Attorney to request) a decision from the Attorney General stating all exceptions that apply, and provide to the requestor within a reasonable time but not later than the tenth business day after the date of receiving the requestor's written request:

      (1) a written statement that the City wishes to withhold the requested information and has asked for a decision from the OAG about whether the information is within an exception to public disclosure; and

      (2) a copy of the City's written communication to the OAG asking for a decision or, if the City's written communication to the OAG discloses the requested information, a redacted copy of that written communication; and

      within *fifteen business days* submit the following information to the Attorney General:

      (1) written comments stating the reasons why the stated exceptions apply to the requested record;

(2) a copy of written request for information;

(3) a signed statement as to date on which the written request for information was received or other evidence of such date of receipt;

(4) a copy of information requested or representative sample if voluminous amount of information is requested and label the copy of the specific information, or of the representative samples, to indicate which exceptions apply to which parts of the copy.

3. Once the Attorney General has made a ruling:

   a. notify the requestor the record will be released/withheld in accordance with the Attorney General ruling

All "Public Information Requests," along with any documentation/rulings shall be maintained by the City Secretary for file and reference purposes. Therefore, the Fire Chief, Municipal Court Administrator, Police Chief and Director of Human Resources shall submit all requests, exclusive of documentation, to the City Secretary when received and shall submit the "Staff Action Form" upon completion of the request.

## X. CHARGES

Charges for inspection and copying public records shall in accordance with Appendix C which shall be in accordance with the guidelines established by the Texas Building and Procurement Commission (formerly called the General Services Commission) rules as set out in the Texas Administrative Code, Sections 111.61 - 111.63.

Refer to Appendix C for a list of current charges.

## XI. WAIVER

The City reserves the right to waive charges for public information requested by a city official, city employee or other governing entities (local, state, or federal).

The City reserves the right to waive charges for the cost of a copy or copies in an amount less than $1.00.

## XII. CITY ATTORNEY REVIEW

All requests are subject to a review by the City Attorney.

## APPENDIX A
## Exceptions to Disclosure

Listed below is a partial list of items that are excepted from public disclosure under the Act.

1. Certain financial information and personnel information that the disclosure of which would constitute a clearly unwarranted invasion of personal privacy (i.e. certain addresses, telephone numbers, Social Security Numbers, and personal family information).

2. Information considered to be confidential by law, either constitutional, statutory, or by judicial decision

3. Information relating to litigation of a civil or criminal nature to which the City is or may be a party or to which an officer or employee of the City, as a consequence of the person's office or employment, is or may be a party.

4. Information related to competition or bidding if it is information that, if released, would give advantage to a competitor or bidder.

5. Information related to location or price of property if the location of real or personal property for a public purpose prior to public announcement of the project; or appraisals or purchase price of real or personal property for a public purpose prior to the formal award of contracts for the property.

6. Certain legal matters regarding information an attorney of the City is prohibited from disclosing because of a duty to the client under the Texas Rules of Civil Evidence, the Texas Rules of Criminal Evidence, or the Texas Disciplinary Rules of Professional Conduct; or

7. Certain Law Enforcement and Prosecutorial Information.

8. A trade secret obtained from a person and privileged or confidential by statute or judicial decision; and commercial or financial information for which it is demonstrated based on specific factual evidence that disclosure would cause substantial competitive harm to the person from whom the information was obtained.

9. Agency Memoranda that would not be available by law to a party in litigation with the agency.

10. Audit Working Papers.

11. Home address telephone number and photograph of Peace Officer.

12. Certain Rare Books and Original Manuscripts.

13. Certain Documents held for Historical Research.

14. Records of Library or Library System.

15. Personal information relating to participants in Neighborhood Crime Watch Organization.

16. Certain information submitted by potential vendor or contractor in connection with an application for certification as a historically underutilized or disadvantaged business under local, state, or federal certification program

17. Information relating to Economic Development Negotiations.

18. Confidentiality of credit card, debit card, charge card and access device numbers.

19. Government Information Related to Security Issues for Computers

20. Confidentiality of Certain Email Addresses provided by members of the public for the purpose of communicating electronically with the City.

## APPENDIX B
## Categories of Public Information; Examples

Without limiting the amount or type of information that is public information under the Act, the following categories of information are public information and not excepted from required disclosure under the Act unless they are expressly confidential under other law:

1. A completed report, audit, evaluation, or investigation made of, for, or by the City, except law enforcement records.

2. The name, sex, ethnicity, salary, title, and dates of employment of each employee and officer of the City.

3. Information in an account, voucher, or contract relating to the receipt or expenditure of public or other funds by the City.

4. The name of each City Council member and the final record of voting on all proceedings.

5. All working papers, research material, and information used to estimate the need for or expenditure of public funds or taxes by the City, on completion of the estimate.

6. A rule of procedure, a description of forms available or the places at which forms may be obtained, and instructions relating to the scope and content of all papers, reports, or examinations.

7. Administrative staff manuals and instructions to staff that affect a member of the public.

8. Information that is in a bill for attorney's fees and that is not privileged under the attorney-client privilege.

9. Information that is also contained in a public court record.

10. A settlement agreement to which a governmental body is a party.

**APPENDIX C**
**Costs of Copies of Public Information**

Standard-Size Copy (up to and including 8.5 inches X 14 inches) reproduced by copier or computer printer

| | |
|---|---|
| a. 50 pages or less of readily available information | $ .10 per page |
| b. Over 50 pages | $ .10 per page plus additional personnel and overhead charges |

Nonstandard-Size Copy

| | |
|---|---|
| a. Diskettes | $ 1.00 |
| b. Magnetic tape | actual cost |
| c. Data cartridge | actual cost |
| d. Tape cartridge | actual cost |
| e. Rewritable CD (CD-RW) | $ 1.00 |
| f. Non-rewritable CD (CD-R) | $ 1.00 |
| g. Digital video disc (DVD) | $ 3.00 |
| h. JAZ drive | actual cost |
| i.. Other electronic media | actual cost |
| j. VHS video cassette | $ 2.50 |
| k. Audio cassette | $ 1.00 |
| l. Oversize paper copy (11x17, greenbar, bluebar, not including maps and photographs using specialty paper) | $ .50 |
| m. specialty paper (Mylar, blueprint, blueline, map, photographic) | actual cost |

Personnel Charge - prorated — $ 15.00/hour
(not charged for 50 or fewer pages of documents, unless the documents to be copies are located in two or more separate buildings that are not physically connected with each other or a remote storage facility; not charged for attorney, legal assistant, or any other person who reviews the requested information.)

Programming Charge — $28.50/hour

Overhead Charge — 20% of total Personnel Costs
(only charged for non readily available or in excess of 50 pages)

Microfiche and Microfilm Charge — Actual cost
Paper Copy - $.10/page

| | |
|---|---|
| Computer Resource Charge | |
| Mainframe | $ 10.00/CPU minute |
| Midsize | $ 1.50/CPU minute |
| Client/Server | $ 2.20/hour |
| PC or LAN | $ 1.00/hour |
| Remote Document Retrieval Charge | Actual cost |
| Miscellaneous Supplies Charge | |
| (labels, boxes, and other producing supplies) | Actual cost |
| Photographs | Actual cost |
| Outsourced/Contracted Services | Actual cost |
| Postal and Shipping Charge | Actual cost |
| Inspection of Records maintained in standard paper form | No Charge* |

*Charges are permitted only where the governmental body is asked to provide, for inspection, information that contains mandatory confidential information and public information. When such is the case, the governmental body may charge to make a copy of the page from which information must be edited. No other charges are allowed except if the information requested takes more than five hours to prepare the public information for inspection; and is older than five years; or completely fills, or when assembled will completely fill, six or more archival boxes.

Deposit

Not more than ½ estimated charges

(Only if the estimated charges are $100 or more.)

**APPENDIX D**
**CITY OF ALLEN**
**PUBLIC INFORMATION REQUEST**

| Name of Requestor | Telephone | Fax or Email |
|---|---|---|
| Address (Complete if information is to be mailed) | | |
| Description of Information Requested: (Please list the records that you are requesting. List specific dates, if possible. If not, please list a starting and ending date for the records requested.) | | |
| Signature of Requestor (if in person) | Date: | |

**Note: Any requested information determined to be PUBLIC INFORMATION will be made available within a reasonable time period.**

**This form request makes no guarantees that the information being requested will be subject to public inspection and copying, and the City of Allen reserves the right to withhold any requested information that is excepted from public disclosure under the Public Information Act or any other applicable law**

**CITY OF ALLEN**
**PUBLIC INFORMATION REQUEST**
**STAFF ACTION FORM**

| Department | Date |
|---|---|
| | |

*Please research the attached request for public information. If the cost of the copies exceeds $20, notify the City Secretary prior to coping.*

| **REQUEST ACTION** |
|---|
| □ The information requested has been copied for requestor. Please see Charges Section below for total charges due. (For requests totaling less than $40.) |
| □ This information can be copied for requestor. Please see Charges Section below for an estimate of charges. (For requests totaling more than $40.) |
| □ This information is unavailable at this time. It will be available for review on _____(date) at _____(time). |
| □ This information is not created or maintained by the City. |
| □ This information is maintained by this department but may be excepted from public disclosure under the Texas Public Information Act. (Request to be referred to |

| **INFORMATION CHARGES** | |
|---|---|
| COST ESTIMATE | ACTUAL COST |
| This estimate has been calculated from anticipated charges that are indicated on the back of this form. Actual cost may be higher or lower than the cost estimate.<br><br>Cost Estimate: $_____ | The cost of copying the information for the requestor is below. This cost has been calculated from the total charges indicated on the back of this form.<br><br>Actual Cost: $ _____ |

| Department | Request Handled by: | Telephone |
|---|---|---|
| | | |

| Date Received by City Secretary | Time | Received/Handled by: |
|---|---|---|
| | | |

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: CITY CEREMONIES** | **NUMBER: ADMIN-4** |
| **EFFECTIVE DATE: FEBRUARY 18, 2004** | |
| **AMENDS/SUPERSEDES: NO. 15** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## PROTOCOL FOR CITY CEREMONIES

### I. PURPOSE

The City recognizes that a standard format and process is needed to create and hold the City's ceremonial events in order to ensure a consistent, high quality, organization and presentation of such functions.

### II. APPLICABILITY

This policy applies to all official formal City functions that involve the Council and/or the Mayor, guest speakers, or other visiting dignitaries including politicos. Examples of such functions include, but are not limited to, ribbon cuttings, grand openings, and formal award ceremonies.

### III. PROCESS

Event Planning

The following steps are designed to serve as the process and protocol to planning City events. Specifics should be discussed within the department hosting the event and with the City Manager. Planning for the event should begin at least two months in advance. Planning for an especially elaborate event should start even earlier. In the case of road or building openings, initial thought towards the grand opening should be given during the project's schedule of completion. The timing of the event will depend on the project schedule in those cases. In all cases, initial contact should be made with dignitaries and speakers two months in advance in order to determine their availability.

The hosting department or board will:

- Be responsible for all costs related to the event by paying for the entire event, or appropriately dividing costs with other involved departments.

- Review the program and plans with the City Manager at the start of the event planning process. When planning the event any significant departures from the guidelines listed in this policy must be approved by the City Manager. Once approved, the department shall contact the City Secretary's Office to calendar the event in order to avoid scheduling conflicts. The coordinator should follow up

with the City Manager on the progress of the event a week or two before the event.

- Identify dignitaries to invite and make initial contact with them in order to determine their availability. The City Council and Mayor should be invited to every major ceremony. If the event celebrates the completion of a long-term project, the Council members who were seated at the start of the project should be invited as well. The City Secretary's Office will address and mail the invitations for all events. A standard guest list is maintained by the City Secretary's Offices and includes the following individuals:

    - City Council
    - All current City Board and Commission members
    - AISD Board of Trustees and Executive Staff
    - Chamber of Commerce Officers
    - County, state, or Federal officials
    - City Department Heads and staff, as appropriate
    - Local Media Contacts

    Event staff should provide names and addresses of other guests to the City Secretary's Office as soon as possible. These might include:

    - Major contractor representatives
    - Citizens who have donated substantial time and/or money to the project
    - Other individuals, as appropriate.

- Identify the location, date, and time for the ceremony. The exact set-up for seats, tables, podium, platforms, etc. should be determined. A visit to the site itself is vital for proper planning. For outside events, sunny and shady areas should be noted as they affect where items should be placed; the audience and speaker's podium should not be positioned where the audience must look into the sun to observe the speaker; tables with food should not be set up where they will be in the sun during the majority of the event if there is a shady alternative. Using portable canopies or tents is also a consideration.

- Designate the event master of ceremonies. The master of ceremonies should be the Mayor, City Manager, Department Head, or Board Chair. Another appropriate person may serve as master of ceremonies if approved by the City Manager. The Mayor or City Manager should always be the master of ceremonies if Federal or state officials are present. The responsible department will provide any facts or information that the master of ceremonies may need to prepare the notes.

- Identify and procure items needed for the ceremony. This includes both items borrowed from other departments and items that need to be purchased or rented. Have arrangements made for the delivery and set-up of all equipment, and also arrange for clean-up after the event. A vendor list and their respective

services will be available through the Purchasing Division. For some events, City equipment may be used. Contact the Parks Department to check availability of City equipment such as stages, etc., and the Community Services Department to check availability of a PA system.

- Notify the Public Information Officer of the event. The PIO will coordinate publicity for the event using the cable access channel, the City's website, and the media. The PIO may also arrange to have the ceremony videotaped for the cable access channel if appropriate. The PIO will obtain a photographer for the event if need be. After the event the PIO will be in charge of archiving event photos and videotapes.

- Prepare an agenda for the event and a program for event attendees. For events that will be held outdoors, make back-up plans in case of inclement weather

- Coordinate the design of the invitations with the City Secretary's Office. The final design shall be approved by the City Manager at least a week before the invitations are mailed. Invitations should be addressed from the Mayor and City Council, or in the case of a board event, from the Mayor and City Council and the respective board. The official invitations should be printed three weeks in advance of the event and delivered to the City Secretary's Office for addressing and mailing.

- Develop program notes for the event's master of ceremonies to refer to in order to facilitate the event. In those notes dignitaries who are actually in attendance should have their names highlighted so they can be appropriately recognized. A copy of the program notes should be in a three-ring binder and placed on the podium for each speakers' reference.

- At least one or two weeks before the event verify that speakers are prepared and that they have all necessary information on the project for their speeches. The speakers should understand that they will have a time limit and that the subject matter of their speech should be relevant.

<u>Invitation and Event Program Design</u>

Invitations and programs should be designed according to the following guidelines:

1. The title and date of the event should be listed prominently on the front of the invitation or program, unless the front is occupied by a picture. The inside of the invitation should specify the time and location of the ceremony along with an opening statement, such as, "The Mayor and City Council cordially invite…" If it is a board function, the board's name should also be added to the opening statement. A brief one or two-line summary of the event may or may not be included on the invitation.

2. The Mayor and all City Council members should be listed on programs whether they are speaking or not. This includes ex-Council members who had participated in the process at one point. All board members who have been involved with the project should also be listed. If they are planning to attend, Federal, state, and county officials who contributed to the project or occasion being celebrated should be listed. Other attending dignitaries may be listed depending on their contribution and available space in the program.

3. On the program, events should be listed in chronological order.

4. On the program, speakers should be listed with their full titles and in the order that they will be speaking. A one-line sentence can be used to summarize their topic.

5. Any background information necessary or useful for understanding the ceremony or event should be included in the program.

6. The invitation and program should be designed in an artistic and professional manner with a consistent (not necessarily uniform) format and style. Single piece invitations can be printed on the front and back. Card invitations can be printed on the front and inside, but not on the back. Spelling and grammar should be correct, and text should be composed in a formal style.

7. Examples of invitations, programs, and master of ceremonies' notes are available on the Common drive of the network in the Administration folder accessible to all employees and in hard copy from the City Manager's office.

Event Procedures

1. Adequate time to set up the site should be allowed before the event. The time needed will vary depending on the size and type of event, i.e. a ribbon cutting with light snacks will require less time than a building opening accompanied by a meal and tours. The site and all accompanying equipment should be set up at least an hour before the event's starting time. If a vendor is setting up any equipment their progress should be checked at least an hour before the event.

2. The master of ceremonies should start the ceremony by welcoming the guests and then by providing an introduction relating background information on the history of the project or event.

3. The master of ceremonies should recognize all dignitaries in attendance, and also mention those not in attendance if they played an important role in the project or event being celebrated. A full list of dignitaries to be recognized should be included in the master of ceremonies' notes. The dignitaries should be recognized in the following order: the Mayor (if he/she is not the master of ceremonies), Federal officials, state officials, and local officials including the Council and City board members.

4. The master of ceremonies should then introduce the speakers using their full title and include a brief background of the speakers and their role in the project, if necessary.

    - The Mayor should be the first speaker if he is not the master of ceremonies. Following the Mayor in the speaking order would be elected representatives of the Federal, state, and local levels of government.

5. The speeches should precede the main ceremony, regardless of the type of event
    - At a ribbon cutting, the Mayor should be asked to cut the ribbon, with the Council members invited to assist. Other dignitaries may also be invited to assist, including the City Manager or board members. Assistance can be rendered by the other parties by holding the ribbon as the Mayor cuts it.

<u>Post Event</u>

1. Make sure that the site is completely cleaned and that all borrowed or rented items are returned. Review any rental contracts to ensure that equipment is returned in time and in proper condition.

2. Mail a program to all invited Federal, state, and county officials who were unable to attend. Event mementos also need to be mailed to appropriate officials who were unable to attend.

3. Thank all who helped make the event a success! A handwritten letter to the workers is one way to do this.

4. An evaluation and review meeting should be held to discuss the process, along with successes and problems.

## Appendices

Event Checklist

Two Months Prior to the Event

- ☐ Designate coordinator and lead workers
- ☐ Make initial contact with the City Manager to discuss/get approval for event. Confirm dates and times with City Manager and City Secretary's Office
- ☐ Determine speakers and dignitaries
- ☐ Make initial contact with speakers and confirm date and time
- ☐ Select location and alternate
- ☐ Order awards, plaques, etc.

Determine needed facilities and equipment and prepare to borrow, rent, or purchase needed items

- ☐ Room/outdoor area sizes
- ☐ Acoustics/lighting
- ☐ Public address system
- ☐ Parking
- ☐ Electricity
- ☐ Tents/outside cover
- ☐ Refreshment serving area
- ☐ Reserve rooms
- ☐ Signage
- ☐ Barricades
- ☐ Tables
- ☐ Platform
- ☐ Podium
- ☐ Trash containers
- ☐ Decorations
- ☐ Displays
- ☐ Handouts
- ☐ Microphones
- ☐ A/V equipment
- ☐ Lighting
- ☐ Mementos (order 6 weeks in advance)
- ☐ Shovels (if groundbreaking)
- ☐ Ceremonial scissors (if ribbon-cutting)
- ☐ Ribbon (if ribbon-cutting)
- ☐
- ☐ Determine layout, and map area
- ☐ Check Accessibility
- ☐ Project attendance
- ☐ Consider attendance projections in relation to site size and layout
- ☐ Determine master of ceremonies (usually the Mayor)
- ☐ Set date and time (and alternate rain date if applicable)
- ☐

- [ ] Provide event information to PIO for media releases
- [ ] Make alternate location and set up plans
  - [ ] Postponement or alternate location announcement
  - [ ] PIO notification
  - [ ] Signs at original location
  - [ ] Speaker, dignitary notification
- [ ] Determine transportation needs

<u>One Month Prior to the Event</u>

Prepare Printed Material

Attendee Programs

- [ ] Event schedule
- [ ] List of officials, boards, participants
- [ ] Speakers and respective topics
- [ ] Background information on the ceremony

Speaker Programs

- [ ] Send any requested or necessary information to speaker to prepare notes
- [ ] Set strict time limit and topic

Master of Ceremonies Program

- [ ] Program notes to facilitate ceremony (schedule, speakers, background info, etc.)

Invitations

- [ ] Determine guest list
- [ ] Title, date, time, and location of the ceremony should be on first page
- [ ] Review the invitation design with the City Manager and City Secretary a week before printing
- [ ] List speakers and dignitaries in attendance
- [ ] Contact post office for mailing rates on oversized invitations; provide information to City Secretary's Office
- [ ] RSVP - if necessary - by return cards, telephone, email

- [ ] Have materials printed
- [ ] Shuttle buses or vans/routes
- [ ] Invitations mailed by City Secretary's Office (Three weeks in advance)
- [ ] Chose vendors and submit vendor invoices
- [ ] Get liability insurance coverage
- [ ] Give City Manager an event update (a week or two in advance)

<u>Week of the Event</u>

- [ ] Prepare evacuation/emergency plans
- [ ] Keys/access to area for staff (3 days in advance)
- [ ] Parking area/parking signs/parking passes (3 days in advance)

Day of the Event Set up (Start early enough that preparation is finished an hour prior to the event. Start setting up the day before if necessary.)

- ☐ Obtain and Inventory all equipment 72-48 hours prior
- ☐ Mow and clean site 48 hours prior
- Set up and Check
  - ☐ Handicap access
  - ☐ Acoustics/lighting
  - ☐ Public address system
  - ☐ Electricity
  - ☐ Tents/outside cover
  - ☐ Refreshment serving area
  - ☐ Signage
  - ☐ Barricades
  - ☐ Tables
  - ☐ Platform
  - ☐ Podium
  - ☐ Speaker Notes in 3-ring Binder
  - ☐ Trash containers
  - ☐ Decorations
    - ☐ Entrances and exits
    - ☐ Platform and podium
    - ☐ Centerpieces, flowers, tablecloths
  - ☐ Repair and clean equipment used
  - ☐ Chairs, tables (extras)
  - ☐ Electrician on site
  - ☐ Security and first aid, personnel and stations, command post
  - ☐ Restrooms and sanitation
  - ☐ Traffic control
  - ☐ Flags
  - ☐ Nametags
  - ☐ Shovels (if groundbreaking)
  - ☐ Ceremonial scissors (if ribbon-cutting)
  - ☐ Ribbon (if ribbon-cutting)
  - ☐ Thank you notes
  - ☐ Reserve seats (label them or designate an area): City Council
  - ☐ Dignitaries
  - ☐ Media
  - ☐ Disabled
  - ☐ Other
  - ☐ Refreshments
  - ☐ Staff, hosts
  - ☐ Serving supplies
  - ☐ Signage
  - ☐ Menu and drinks
  - ☐ Permits
  - ☐ Electricity and cooking fuel
  - ☐

Post-event

- [ ] Return supplies/equipment
- [ ] Site cleanup
- [ ] Mail programs/event mementos (if applicable) to dignitaries who did not attend
- [ ] Evaluation/review of event
- [ ] Follow up with City Manager
- [ ] Thank all participants
- [ ] Make payments to vendors

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: BUSINESS CARD PURCHASES** | **NUMBER: ADMIN-5** |
| **EFFECTIVE DATE: FEBRUARY 5, 2023** | |
| **AMENDS/SUPERSEDES: APRIL 23, 2003** | **APPROVED:**<br>_____<br>**ERIC ELLWANGER, CITY MANAGER** |

## BUSINESS CARDS

### I. PURPOSE

The purpose of these guidelines is to provide a consistent pattern of identification for City employees and other representatives who use business cards.

### II. POLICY

Business cards may be used by departments to identify individual staff members or provide contact information for an entire department or division.

Business card orders must be placed with the City's approved print vendor(s) only.

Business card templates are provided to approved print vendor(s) by the Public and Media Relations Office. Any deviations from this template must be pre-approved in writing by the Public and Media Relations Office Director.

Departments are responsible for ordering and paying for their own business cards.

Not everyone has use for a business card. Departments are not obligated to order cards for every staff member.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: UTILITY ACCOUNT PRIVACY** | **NUMBER: ADMIN-6** |
| **EFFECTIVE DATE: APRIL 26, 2006** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## UTILITY ACCOUNT PRIVACY

### I. PURPOSE

This policy establishes a privacy policy related to the collection of social security numbers and other identifying information required by the City of Allen from individuals establishing City utility accounts.

### II. POLICY

It is the policy of the City to protect the confidential nature of social security numbers, driver's license numbers, and other information that are required to be disclosed in connection with an application to establish a City utility account or make payment for City utility service. City utility services include water, sewer, trash collection, recycling collection, household hazardous waste collection, and drainage services.

The social security number, valid driver's license, and other identifying information required to establish a utility account will be collected from the customer at the time they apply for utility service or at the time of a utility payment. The number is recorded on an account application form that is either Faxed, mailed, e-mailed as an enclosure, phoned in, or handed in person to a utility billing customer service representative. The number is subsequently entered into the City's financial management system in the Utility Billing customer master file section.

The applicant's social security number and picture identification card are used to validate the applicant's identity. In addition, with the social security number the City uses the services of one or more of the national Credit Reporting Agencies to provide records to make final identity verification.

In the event that a city utility customer moves or leaves their residence without properly closing their account and making a final city utility bill payment, the utility billing staff will use the customer's social security number to submit adverse payment history information to the national Credit Reporting Agency data bases. The social security number may also be used to assist in locating customers who have an outstanding bill for purposes of performing debt collection.

The City is committed to protection of its customer's social security numbers.

- The Information Technology Department in coordination with the Utility Billing and Finance Department will restrict access to records of customers to the minimum feasible number of City staff employees required to perform utility billing and financial management functions.

- The Utility Billing customer master files are password protected.

- Currently, our Utility Billing system is not accessible through the internet as it is a stand-alone system that is not susceptible to external hacking or other remote exploitation.

- At their time of employment, the criminal history and historical driving records of all prospective employees are reviewed. Applicants with adverse information that reflects illegal activities, immoral acts, or other inappropriate conduct will not be considered for placement in positions with access to sensitive customer information. Employees that work where sensitive customer information is maintained, including the information technology, finance and utility billing areas of responsibility, are also held to the highest standards of future conduct and integrity.

- City records are disposed of in accordance with the City of Allen Records Management Program as provided in the Local Government Records Act, Chapter 201, of the Local Government Code. This includes the destruction of applications for service that are retained and subsequently destroyed by shredding as part of the records retention policy.

- Employees found to violate the confidentiality of social security numbers and other personal information entrusted to the City will be considered for both administrative punishment as well as prosecution under all applicable criminal charges.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: EVENT CENTER TICKET DISTRIBUTION** | **NUMBER: ADMIN-7** |
| **EFFECTIVE DATE: FEBRUARY 1, 2013** | |
| **AMENDS/SUPERSEDES: OCTOBER 1, 2011 SEPTEMBER 28, 2010, DECEMBER 10, 2009** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## DISTRIBUTION OF EVENT CENTER TICKETS

### I. BACKGROUND

It is traditional for cities which have built Event Centers to have the right to use tickets for seats and/or suites for events which take place in such facilities. Under the Facility Management Agreement, the City has the use of a suite, which contains twenty (20) ticketed seats.

### II. DEFINITIONS

*City Officials* include City Council, Community Development Corporation Board Members, Economic Development Corporation Board Members, Executive Team Members, and City staff.

*Official City Business* includes events that are ceremonial occasions, official welcoming of visiting dignitaries, economic development outreach, and recognition for direct involvement in City related projects/programs.

*Public areas* include the concourse and the premium suite level.

*Season* includes both regular and playoff games during the season of play for each sports team.

*Team* includes all athletic team events held at the Allen Event Center with signed licensing agreements.

### III. POLICY

It is the policy of the City of Allen that the tickets provided pursuant to the Management Agreement be utilized solely for municipal purposes in accordance with the following guidelines:

- City Councilmembers and Executive Team Members may propose to the City Manager, or designee, to make admission to the City Suite or the tickets available to appropriate recipients who are participating in City official business with ticket costs waived.

- To the extent that the City Suite seats are not reserved for official City business, the City Manager, or designee, shall make tickets available to City Officials.

- The City Manager, or designee, shall determine the price to be paid to the City for tickets distributed by the City for purposes of this policy. The revenue shall be used to support the Event Center activities. Tickets shall be priced for unofficial City business purposes as follows:

    - Team events tickets will be priced to cover the City's ticketing fee and associated costs plus any applicable taxes.

    - Non-Team events will be priced at a cost not to exceed 50% of the face value of the ticket plus any applicable taxes.

## IV. PROCEDURES

The City Manager, or designee, is charged with administering the policy and procedures for the use of the City Suite as follows:

1. Arrangements for tickets to the City Suite for all events are handled by the City Secretary including the issuance of tickets and handling of payments for tickets. The City Secretary will issue notice of ticket availability through email to each eligible City Officials group. No reservations will be accepted until the tickets are released to the eligible group.

2. Use of the City Suite shall require designation of a "Responsible Party" from the City who shall be required to supervise the use of the City Suite and ensure that the use does not result in charges to the City or the Event Center.

3. Each City Official shall provide the name of each guest attending an event in the City Suite to the City Secretary at least 24 hours prior to the start time of the event. A list of the attendees will be provided to the City Council so they will be aware of those visiting the City Suite.

4. Team Events.

    a. City Council: Each member of the Allen City Council may purchase up to four tickets per Team game. One game per season each member of the City Council may purchase up to eight tickets. All requests must be submitted to the City Secretary at least 10 days in advance of the game. Tickets will be reserved on a first come basis.

    b. Other City Officials: All other City Officials will be limited to four tickets (City Official and three guests) per game including official City business activities. On the day of the game or last City business day before the game, any tickets not purchased by Noon shall be released for sale to the other ticketed City Officials in

the Suite. Tickets will be sold on a first come basis and limited to a maximum of two additional tickets per City Official.

5. Non-Team Events.

   a. City Council: Each member of the City Council may purchase up to four tickets per event. The first two tickets purchased shall be sold at the discounted price. Additional tickets, up to two, shall be sold at the full face value of the tickets. All requests must be submitted to the City Secretary at least 30 days in advance of the event. Tickets will be reserved on a first come basis.

   b. Other City Officials: All other City Officials will be limited to two tickets (at the discounted price) per event including official City business activities. At times, there may be opportunities for recipients of tickets to the City Suite to purchase additional tickets for additional guests. These tickets will be sold at the full face value of the ticket to the extent space in the City Suite permits.

6. The purchase of food/drinks from the City Suite is the sole responsibility of the ticket recipient.

7. A quarterly report will be provided to the City Council on the distribution of tickets to the City Suite.

## V. RESTRICTIONS

Tickets may only be used by a City Official and guests unless otherwise provided for in the policy stated above.

Tickets may not be sold by the ticket recipient. In the event that the City Official is unable to use the tickets purchased, tickets may be transferred to another eligible recipient, with prior approval by the City Manager or City Secretary.

Each City staff member is limited to a maximum of three (3) games each Team season, based on availability.

Council Ambassador Badges provide access to all public areas within the AEC for the purpose of meeting and greeting the general public. The badge does not provide a ticketed seat, nor does it provide access to rental events.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: LOCAL GOVERNMENT CERTIFICATE PROGRAM** | **NUMBER: ADMIN-8** |
| **EFFECTIVE DATE: September 15, 2023** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**ERIC ELLWANGER, CITY MANAGER** |

## I. PURPOSE

The graduate certificate program is to provide select City of Allen employees with professional development opportunities that increase their knowledge and skills as emerging leaders and practitioners of public administration and make them more effective contributors to the quality of life in our community.

Upon completing the designated coursework of four (4) graduate-level courses, in a cohort group composed of employees from nearby municipalities and meeting all academic requirements of the program as established by the University of Texas at Dallas, the employee will receive a graduate certificate in local government management from the University.

## II. ELIGIBILITY

Participation in the Graduate Certificate Program is subject to the availability of funds in the City's annual operating budget. Regular, full-time employees who possess an undergraduate degree and are nominated by their department director or ACM/DCM are eligible to participate.

Employees selected for this program are not eligible for the Education Assistance Program since their full tuition and textbooks for the certificate will be paid for by the City.

## III. APPLICATION PROCEDURES

Employees wishing to participate in the Graduate Certificate Program must provide the following:

- A Purpose Statement. In less than 500 words, explain your interest and desire to participate in the program.
- Submissions will be accepted for a published time period prior to the beginning of the next cohort.

- Selection for this program will be made by a committee of department heads and/or ACMs designated by the City Manager.

## IV. REPAYMENT REQUIREMENTS

Employees who terminate employment with the city will repay the city, at the time of termination of employment, tuition related to the certificate program based on the following schedule:

- 100% of the total program must be repaid if an employee leaves employment prior to twelve (12) months after completing a course or courses while in the program.

- 50% must be repaid if an employee leaves employment after twelve (12) months but before twenty-four (24) months after completing a course or courses while in the program.

As a recipient of the certificate program, the employee authorizes the city to deduct the balance owed for tuition assistance from his/her pay or make payment arrangements to repay the city by a payment method acceptable to the city. All such repayment arrangements will be coordinated with the Director of Human Resources or designee.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: ACCOUNTS PAYABLE** | **NUMBER: FIN-1** |
| **EFFECTIVE DATE: MAY 14, 2018** | |
| **AMENDS/SUPERSEDES: DECEMBER 1, 2003, NO. 11** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

# ACCOUNTS PAYABLE

The Accounts Payable Section of the Finance Department is responsible for reviewing all invoices and for making payments of all legally incurred and properly authorized obligations of the City of Allen except payroll. Payments will be issued in a manner to maintain the credit worthiness of the City and to take advantage of all available discounts. Accounts Payable is the primary contact for all Vendor inquiries regarding payment of invoices. These policies and procedures do not pertain to payments on Capital Improvement Projects that have separate policies and procedures.

## I. Original Invoice

In order to avoid duplicate payments, Accounts Payable should receive all original invoices directly from each Vendor. If a Department receives an original invoice, it should be forwarded promptly to Accounts Payable. The invoice should have a reference to an issued PO number in the system. Payments are not typically processed based on statements received from Vendors.

Unpaid invoices, that have been receipted on a PO and received by Accounts Payable are pulled for weekly payment processing. The Finance Department will monitor the due dates to ensure timely payment.

## II. Authorization of Payment

1. Invoice Match to Purchase Order in System

   a. If the invoice matches the receipted PO in the system (see Receipt Processing in the Purchasing Manual), the invoice information will be entered, and the due date set as the invoice date plus 30 days. If there is an available discount, it will be entered, and the due date adjusted to take advantage of the discount.

   b. If the information does not match a receipted PO, there is no PO reference on the invoice or the invoice includes sales tax, a copy of the invoice is sent to the originating Department requesting corrective action. The Department must correct the system or contact the Vendor to resolve any discrepancies.

c. The Department will advise Accounts Payable of the corrective action or resolution and the corrected invoice will be processed.

d. The unpaid invoices remain filed alphabetically and by due date to facilitate future processing for payment.

e. Departments should never combine several invoices as one receipted amount on a BPO and should never offset a credit memo against the original charge netting the amount as one amount on any PO. Both practices will result in the invoices being returned to the Department to correct the entry(s). Each invoice must be entered separately to avoid delays in processing and to develop a history for each invoice. Credit memos should be coded by the department's administrative assistant and submitted to Finance for processing. Credit memos should not be processed on the PO.

2. Refunds and Overpayments

   Refunds and Overpayments are processed as direct invoices by each department and approved through workflow by the assigned department manager. Direct invoice processing cannot be used for budgeted expenditure accounts. The appropriate back up must be scanned and attached to the direct invoice to verify the payment. The original documentation must be submitted to Finance for final payment processing and batch approval. Some examples are Water Deposits, Out of Town Warrants, Class Cancellations.

3. Request for Check (RFC's)

   Occasionally there are small, miscellaneous, one-time expenditures that do not necessitate the issuance of a PO. These invoices, if under $3,000, and/or if they meet with Purchasing guidelines, can be processed in the system as a Request for Check, (RFC). It is the departments responsibility to research and determine beforehand that these items have not been processed and / or paid via p-card or a PO. Travel / Per Diem and Employee Reimbursement requests are also processed through RFC.

   a. RFC's are entered into the system by each department's Senior Administrative Assistant. The request is then assigned a number by the system and enters approval workflow. The system automatically checks for budget allowances to determine if adequate funds are available.

   b. The appropriate back up must be scanned and attached to the RFC to verify the expenditure. The original documentation must be submitted to Finance for final payment processing and batch approval.

## III. Processing Batches and Approvals

1. After department workflow is approved in the various applications, Accounts Payable staff use the backup submitted to Finance to complete Invoice Processing. A Batch Report is then generated. Invoiced items with attached supporting documentation are submitted to the Accounts Payable supervisor or Senior Accounting staff for additional review and approval before being posted for payment.

2. As batches are approved, the appropriate staff in Accounts Payable posts them to the system.

## IV. Issuance of Checks

- Checks are issued every Thursday and mailed on Friday. The receipting of a PO, with the original invoice in Accounts Payable for processing, must be completed by noon on Monday, for a Friday check. Checks will not be issued on any other days, unless approved by the Chief Financial Officer.

- Invoices are systematically selected for payment based on their due date. Normally, the invoices selected for payment will include all items with a due date that is two weeks before invoice due date. One check is generally issued per vendor which lists each individual invoice or credit memo and the amount of each. However, if a Department would like multiple checks issued to the same vendor, Accounts Payable needs to be contacted in advance.

- The City does not maintain an inventory of pre-numbered, pre-encoded bank checks. The printing process records the payment information, check number, encoding information and two facsimile signatures with magnetic ink for checks less than a predetermined amount registered at the bank. If the check exceeds this amount, two authorized individuals must sign it. The authorized check signers are on file at the bank.

- After completion of the check processing and EFT file submittal to the bank, a Cash Disbursements Journal is produced.

- The check register, all original checks needing signatures along with supporting documentation, are given to the authorized check signers for review and signature. After review, all are returned to Accounts Payable to be mailed to the Vendors.

- For fraud detection, specific information of each check and EFT payment is submitted to the bank prior to release of payments. After that process is complete, each check is mailed to the vendor with all necessary attachments. Only under special circumstances will a check be returned to the originating Department. In such instances, the Department should obtain prior approval from the Chief Financial Officer and highlight this request on the submitted documentation. Since the Accounts Payable files are the permanent record of all

payments made by the City except payroll, any additional documentation provided to the vendor by the Department prior to mailing should also be provided to Accounts Payable upon submission for processing.

## V. Review by Departments

If a PO, RFC, and / or a P-card transaction are processed for the same item, the general ledger will reflect a double payment for this item. To prevent this duplication, Department Heads should review open POs on a regular basis to determine that all are valid, the goods or services have not been received and none are duplicated. If a duplication is discovered, the PO or RFC should be cancelled. If a duplicate payment has been made, it is the departments responsibility to see that a refund is issued.

## VI. Vendor Inquiries

Accounts Payable is responsible for responding to inquiries from vendors regarding the status of unpaid invoices and for reviewing monthly statements. These responsibilities frequently require the cooperation of Department representatives in identifying purchases, in determining status and location of material or documents, and receipting on the PO. Vendor statements, duplicate invoices, and vendor inquiries should be forwarded promptly to Accounts Payable.

**ABBREVIATIONS**:
AP = Accounts Payable
EFT = Electronic Funds Transfer
PO = Purchase Order
BPO = Blanket Purchase Order
RFC = Request for Check

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: BUSINESS DIVERSITY PROGRAM** | **NUMBER: FIN-2** |
| **EFFECTIVE DATE: AUGUST 26, 2003** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## BUSINESS DIVERSITY PROGRAM

### I. MISSION AND PURPOSE

The Business Diversity Program encourages the participation of small, minority and women-owned businesses in the City of Allen procurement process. The program provides small, minority and women-owned businesses a fair opportunity to compete with large and national businesses to be service and product suppliers to the City.

The Business Diversity Program informs various departments with the City of the needs and capability of the small, minority, and women-owned business community. The program provides opportunities for education and business skills development to the small, minority and women-owned business enterprises in our community.

This document represents the development of the Business Diversity Program and affirms the City Council's commitment to its policy of encouraging the participation of all segments of the business community in the procurement and contracting process of the City through "good faith" efforts. The City will comply with all applicable local, state and federal statutes and regulation.

The program will take effect upon adoption by the City Council Resolution.

### II. STATEMENT OF POLICY

It is the policy of the City to assist in increasing the opportunities to involve qualified small, minority and women-owned business enterprises in the procurement and contracting activities of the City.

To support this policy, City staff, by City Council Resolution, will implement this Program designed to increase small, minority and women-owned business utilization, in the procurement activities of the City. The program is a "good faith" effort to assure small, minority and women-owned businesses are afforded an equal opportunity to compete.

## III. SCOPE

The policies, procedures and contracts clause established under this Business Diversity Program shall be applicable to City bidders/proposers/recipients of contracts, and related subcontracts. The policies, procedures and contract clauses shall apply to all such contracts, unless the policies are in conflict with state or federal law or rules and regulations.

The provisions of this Policy and Program are declared to be separable and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this Policy or the validity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this Policy or Program, or the validity of its application to other persons or circumstances.

## IV. PROGRAM RESPONSIBILITY

The City of Allen's Purchasing Division ("Purchasing Division") is responsible for program implementation, coordination and monitoring and will ensure the cooperation of City operational staff as necessary for effective implementation of the Program.

## V. INQUIRIES

The Purchasing Division with direction from the City Manager or his designee has the overall responsibility to administer policies, standards, definitions criteria and procedures to manage the implementation, interpretation, and application of this program in a manner to achieve its stated purposes.

## VI. DEFINITIONS

A. CONTRACT – An award by the City whereby the City expends or commits the expenditure of funds for work, labor, services, supplies, equipment, materials, or any combination of the foregoing.

B. BUSINESS ENTERPRISE – Any legal entity which is organized to engage in lawful commercial transactions and is actively engaged in such transactions as means of livelihood, such as a sole proprietorship, partnership or corporation, but not a joint venture except as hereinafter provided.

C. DISADVANTAGE BUSINESS ENTERPRISE (DBE) – An independent small business enterprise: (a) which is at least 51.0 percent owned, as defined herein, by one or more socially and economically disadvantaged individual(s), or in the case of any publicly owned business, at least 51.0 percent of the stock of which is owned by one or more socially and economically disadvantaged individual(s); and (b) whose management and daily business operations are controlled, as defined herein, by one or more of the socially and economically disadvantaged individual(s) who own it; and (c) which receives certification status as such by a regional certification agency or the State of Texas as meeting (a) and (b) of this definition.

1. Owned:

   - For a sole proprietorship to be deemed a disadvantaged business enterprise, it must be owned by a socially and economically disadvantaged individual.

   - For an enterprise doing business as a partnership, it is necessary that at least 51.0 percent of its assets or interests in the partnership proper to be owned by a socially and economically disadvantaged individual(s).

   - For an enterprise doing business as a corporation, it is necessary that 51.0 percent or more of its assets or interests in the corporate shares be owned by a socially and economically disadvantaged individual(s).

2. Controlled: The primary power, direct or indirect, to manage a business enterprise shall rest with the socially and economically disadvantaged individual(s).

3. Share in Payments: The socially and economically disadvantaged partners, proprietor or stockholders of the enterprise, as the case may be, shall be entitled to receive 51.0 percent or more of the total profits, bonuses, dividends, interest, payments, commissions, consulting fees, rents, procurement, subcontract payments and any other monetary distribution paid by the business enterprise.

4. Socially and Economically Disadvantaged Individuals: Individuals who are citizens of the United States (or lawfully admitted permanent residents), and who are Women, Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, or Asian-Indian Americans and any other minorities or individuals found to be disadvantaged by the Small Business Administration pursuant to section 8(a) of the Small Business Act, or individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities and whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area who are not socially disadvantaged. There shall be a rebuttal presumption that individuals in the following groups are socially and economically disadvantaged.

   - "Black Americans" which includes persons having origins in any of the Black racial groups of Africa;

   - "Hispanic Americans" which includes persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish or Portuguese culture or origin, regardless of race;

   - "Native Americans" which includes persons who are American Indians, Eskimos, Aleuts or Native Hawaiians;

- "Asian-Pacific Americans" which includes persons whose origins are from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, the U.S. Trust Territories of the Pacific and the Northern Mariannas;

- "Asian-Indian Americans" which includes persons whose origins are from India, Pakistan and Bangladesh;

- "Women."

D. MINORITY BUSINESS ENTERPRISE (MBE) – Means a business enterprise that is owned and controlled by one or more minority person(s). Minority persons include the ethnic categories defined under the DBE definition except for women. The MBE must also satisfy the owned and controlled provisions under the DBE definition.

E. WOMEN BUSINESS ENTERPRISE (WBE) – Means a business enterprise that is owned and controlled by one or more females. The WBE must also satisfy the owned and controlled provisions under the DBE definition.

F. SMALL BUSINESS – As defined pursuant to Section 3 of the Small Business Act and relevant regulations promulgated pursuant thereto except that a small business shall not include any business or group of businesses controlled by the same socially and economically disadvantaged individual(s) which has annual average gross receipts in excess of the standards established by the Small Business Administration's regulation under 13CFR 121 for a consecutive three- year period. However, no firm is considered small if, including its affiliates, it averages annual gross receipts in excess of $17 million over the previous three (3) fiscal years.

G. JOINT VENTURE – An association of two (2) or more persons, partnerships, corporations or any combination thereof, founded to carry on a single business activity which is limited in scope and duration.

H. BIDDER/PROPOSER – Any person, firm, partnership, corporation, association or joint venture as herein provided seeking to be awarded a City contract by a competitive process.

I. SUBCONTRACTOR – Any named person, firm, partnership, corporation, association or joint venture as herein provided identified as providing work, labor, services, supplies, equipment, materials or any combination of the foregoing, under contract with a prime contractor or City contract.

## VII. IMPLEMENTATION OF POLICY/PROGRAM ADMINISTRATION

The Purchasing Division will administer, monitor and seek compliance to implement the Business Diversity Program and will perform in a manner as may be necessary to achieve the "good faith" efforts of the program.

Each department of the City which shares responsibility for the award of a City contract has a responsibility to promote, support, and assist in carrying out the "good faith" efforts of the Program. Departments are to be held accountable for performing specific required functions in support of the Program, and any other functions(s) deemed necessary by the City Manager. The Purchasing Division has the following specific Program responsibilities.

- Responsible for the City's Business Diversity Program.

- Administer compliance of this Program in a manner as may be necessary to achieve its stated purposes.

- Develop and maintain systematic procedures to ensure that Small, Minority and Women-Owned Business Enterprises are afforded an equal opportunity to compete on all City contracts including, but not limited to, the timely dissemination of bid/contract information, assistance and opportunities, conducting workshops, attending trade fairs, attending pre-bid/pre-proposal conferences, contractor compliance, technical, financial, and managerial assistance, etc.

- Participate and support acceptance of regional certification of targeted Small, Minority and Women-Owned Business Enterprises.

- Review and ensure the certification status of Small, Minority and Women-Owned Business Enterprises, as well as other entities claiming disadvantaged business enterprise status.

- Prepare annual reports to the City Manager on the progress of the Business Diversity Program and also recommend program changes necessary to improve the overall effectiveness of the Program.

- Make plans and specifications relating to City contracts available to prospective bidders in sufficient time for adequate review. In coordination with outside resource agencies, provide access to copies of City requests for proposals, construction plans and specification to such agencies, thus enabling Small, Minority and Women-Owned Business Enterprises to review the plans without purchasing or placing a deposit on them, and within sufficient time, to allow a timely response.

- Ensure that all prospective bidders, including targeted businesses, are advised of the estimated cost range of the City construction project to avoid overbidding. This provides a frame of reference in which to bid City projects.

- The Purchasing Division shall maximize the participation of Small, Minority and Women-Owned Businesses in soliciting quotes for bids under $10,000 (informal bids or contracts) by utilizing the State of Texas Historically Underutilized Business listing.

## VIII. OUTREACH – INTERNAL AND EXTERNAL

An integral component of this Program is the process, procedure and formalized effort to identify, solicit, and ensure participation by targeted businesses on the City's contracting opportunities. The City is committed to "good faith" efforts in providing equal contracting opportunities for all segments of the business community. The Program's outreach efforts are designed to document initiatives and establish procedures which best inform, present, and receive feedback for maximum consideration and participation by Small, Minority and Women-Owned Business Enterprises. Key to the City's outreach efforts are internal and external communication and interaction by the Purchasing Division and other City departments with the Small, Minority and Women-Owned Business Enterprise community.

INTERNAL COMMUNICATION:
Each City department, that has, or shares responsibility for the award of a City contract, has a responsibility to support and assist in promotion, and implementation of this Program.

EXTERNAL COMMUNICATION:
Communication and support of the Program initiatives by entities that represent or promote Diversity in Business is a crucial element to a viable and effective program. The Purchasing Division will participate in business out-reach enterprises that support activities and look to these entities as the principal organizations to generate active support and participation that directly impacts the Small, Minority and Women-Owned business community.

## IX. GOOD FAITH EFFORTS

The types of evidence of good faith efforts include but are not limited to:

1. Soliciting through all reasonable means (attendance at pre-bid conferences, advertising).

2. Where appropriate, and in accordance with applicable law, breaking out contract items into economically feasible units to facilitate the participation of Small, Minority and Women-Owned Business Enterprises.

3. Providing access to information to all interested Small, Minority and Women-Owned Business Enterprises with adequate information about the plans, specifications, and requirements of bids/contracts in a timely manner to assist them in responding to a solicitation.

4. Utilizing the services of available small, minority and women's community organizations, contractor groups, local, state, and federal small, minority and women's business assistance offices.

## X. RECORDS AND REPORTS

To monitor the progress of the Program, the City shall establish and maintain a record system designed to:

1. Assess overall Small, Minority, and Women-Owned Business Enterprise awards of City contracts.

2. Identify additional qualified Small, Minority and Women-Owned Business Enterprises.

3. Identify and list certified Small, Minority and Women-Owned Business Enterprises to be available to all interested parties.

The Purchasing Division will issue an annual report to the City Manager detailing the City's utilization of Small, Minority and Women-Owned Business Enterprises.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: CAPITAL/FIXED ASSETS** | **NUMBER: FIN - 3** |
| **EFFECTIVE DATE: JUNE 2009** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## CAPITAL/FIXED ASSETS

Capital outlays by a local government for long term use in the provision of goods and services to the citizens are referred to as capital assets or fixed assets. Examples include land, buildings, infrastructure, vehicles, equipment and improvements other than buildings. Once the purchase is completed, it is recorded on the balance sheet as a capital asset and annual depreciation expenditure is recognized over its estimated useful life.

This policy establishes uniform and consistent standards for the purchase, control, disposal, and depreciation of capital assets acquired and owned by the City of Allen.

Proper reporting, classification and control of capital assets by employees will ensure that such assets are efficiently utilized and protected against damage and loss. The policy outlines the procedures necessary to make certain that capital asset transactions are initiated, authorized and approved by the appropriate level of management to protect against unnecessary purchases, improper disposal or transfers before the life expectancy of the asset is met. An inventory of capital assets, including the location and value of the asset, will be maintained by the Finance department and the department to which the asset is assigned.

The Purchasing division is responsible for disposal of all property.

### Definitions

- Capital/Fixed Asset: A capital/fixed asset is a tangible or intangible item with an original monetary unit cost of $5,000 or more and a useful life greater than one year. Such items are recorded on the balance sheet and depreciated based on life expectancy. Examples include land, building, infrastructure, vehicles, equipment and improvements other than buildings.

- Construction in Progress: A temporary grouping of asset costs being built or constructed, that are not anticipated to be completed by the end of the current fiscal year. Project and funding are restricted and upon completion of construction, it is classified as a capital asset in the appropriate category listed below.

- Land and Easements: Includes all land and easements purchased by or donated to the City of Allen. Donated land and easements is recorded at its appraised value at the time of acquisition. Related costs such as legal fees, filing and excavation costs, property taxes, and the like, that are incurred to put the land and easements in condition for its intended use are capitalized and included in the cost of the land and easements.

- Buildings/Additions and/or Improvements: Includes all City owned buildings and all permanently attached fixtures. If buildings are donated to the City, the value is recorded at its appraised value at the time of acquisition. Related costs such as attorney's fees, architect's fees, inspection fees, and building permits are included as part of the total cost.

- Vehicles, Machinery/Equipment, Furniture/Fixtures: All tangible items owned by the City of Allen that are useful in carrying on daily operations. Examples include vehicles, machinery, equipment, computers, software, tools, and furniture and fixtures. Related costs such as delivery charges, permanent attachments that are not removable, and setup charges are included in the cost. Equipment donated to or seized by the City of Allen is recorded at estimated value.

- Depreciation**:** A systematic allocation of the cost of a capital asset over its estimated useful life.

**Capital/Fixed Asset vs. Expenditure**

City purchases are either current year expenditures (consumed within one year) or capital expenditures (recorded as capital assets on the balance sheet for financial reporting purposes). Purchases with extremely short useful lives and small monetary value are properly reported as an "expenditure" or "expense" in the period in which they are acquired. This policy does not cover those items.

Capital outlays that benefit current and future years are properly classified as capital assets but must meet the following criteria established for inclusion in the capital outlay category. Please note that capital assets received by means of donation or grants follow the same criteria. Also, the final determination of classification will be based on accounting principles and financial reporting requirements.

1. The capitalization threshold for each individual item is $5,000.

2. The estimated useful life following the date of acquisition is greater than one year.

3. The item is not consumed, unduly altered, or materially reduced in value immediately by use.

4. The capitalization threshold should be applied to individual assets rather than to groups of assets (e.g. desks, tables, chairs, software, and so on).

5. Capital assets are recorded at historical cost and should include all charges necessary to place the asset in its intended location (freight charges) and charges necessary to place the asset in its intended condition for use (installation and site preparation charges).

6. The historical cost of a capital asset should include the cost of any subsequent additions or improvements but exclude the cost of repairs, as these costs are expensed. An addition or improvement, unlike a repair, either enhances a capital asset's functionality (effectiveness or efficiency), or extends a capital asset's expected useful life.

*The following criteria are excluded from the capital outlay category*.

1. Items that require regular replacement due to rapid wear.

2. Items destroyed after one-time use.

3. Items installed or added to an existing capital asset where such additions are required merely to return the item to a functioning product, for example, engine overhauls, replacement of lens in camera of closed circuit TV units, or adding/replacing a tool box to a pickup truck.

**Purchase of Capital/Fixed Assets:**

The annual budget is approved by the City Council and sets spending limits for capital outlays in each fund. The Finance Department sets the internal processing controls for budget, purchasing and accounting purposes and the City's Purchasing Policy sets the guidelines for compliance with applicable laws and regulations. These internal controls segregate job duties to ensure that purchases are budgeted, initiated, authorized and approved by appropriate personnel and communicated to City management and the public.

Departments must work with the Accounting Division on all capital assets given directly to the City or received through donation or grant funding, whether purchased directly by the City and reimbursed by the agency or received directly from the Agency because special financial reporting may be required.

**Recording and Control of Capital/Fixed Assets**:

The Accounting division will maintain the Fixed Asset application and is responsible for accounting, depreciation, inventory, and financial reporting by following generally accepted accounting principles for local governments including those principles prescribed by the Governmental Accounting Standards Board (GASB).

New Purchases: Employees must follow the Purchasing Policy when making capital purchases. The internal purchasing and financial software set limits on employee authorities to enter requisitions and make approvals. After the purchase order is issued the employee is authorized to proceed with ordering the item. When the item is

received and meets the purchase order specifications, the department must indicate in the Purchasing software that the item has been received. This notifies the Accounting department to process payment to the vendor once the invoice is received. It also moves the item into the City's Fixed Asset record keeping software. Accounting personnel will notify the department for additional information required to complete the fixed asset record. Additional information may include serial/model number, useful life and location of the asset. (see Capital Asset Worksheet)

Transfers: When capital assets are transferred between departments (i.e. the Water and Sewer Fund gives a truck to the Parks Department in the General Fund) the departments should notify the Accounting division by completing a Capital Asset Worksheet. The Accounting division will then adjust the capital asset record for location and change balance sheet and depreciation expenditure accounts to the department controlling the asset.

Replacements: The City has established the Replacement Fund to account for the replacement of City-owned vehicle, machinery and equipment. Charges for use in the form of user payments are made by City departments to the Replacement fund to provide for future acquisitions and replacements. All replacements and disposals utilizing the Replacement Fund must go through the Replacement committee review process and budget approval.

Donations/Gifts: When the City receives fixed asset gifts or donations departments should complete a Capital Asset Worksheet and submit it to the Accounting division so the item can be recorded in the financial records.

Inventory and Control of Capital Assets: It is incumbent upon division managers and department directors to maintain adequate control over all of a department's assets, including its fixed assets, to minimize the risk of loss or misuse. Each department is to have designated staff responsible for inventory and control of fixed assets. Employees will accommodate Finance staff during audits to ensure validation of City records. At no time should capital assets be used by employees for personal gain.

Audits and Reporting: The Accounting Division is responsible for conducting periodic audits to validate location and condition of all capital assets. Each department will accommodate Finance staff during audits to ensure validation of City records. Results of annual inventory/audits will be posted on the City's network at M:\Finance\Reports\Capital Asset Audit and department directors will be notified by e-mail when the reports are available.

Disposal: The Purchasing division is responsible for disposal of all property. The department should work closely with the Replacement committee, the Purchasing division and Accounting division to ensure capital assets are properly disposed and accounted for. A completed Capital Asset Worksheet is required for all disposals.

Depreciation: On an annual basis after validating inventory, Accounting staff will calculate depreciation on each class of depreciable assets using the straight-line method and following GASB estimated useful lives. Estimated useful lives are as follows:

- Buildings 15-40 Years
- Towers, tanks, and pump stations 30 Years
- Infrastructure 10-50 Years
- Machinery and Equipment 3-15 Years
- Vehicles 2-15 years
- Library books 5 Years
- Furniture and Fixture 5 Years
- Other Improvements 2-30 Years

Resources:

Capital/Fixed Asset Worksheet
Annual Budget
Purchasing Policy and Procedures
Vehicle and Replacement Policy
CAFR
GASB

# Capital/Fixed Asset Worksheet

| | New Asset Acquisition | Asset Transfer<br>From one Dept to another Dept | Asset Disposal<br>(thru Purchasing Div) |
|---|---|---|---|
| Asset Number – (assigned by Accounting Div.) | | | |
| Description | | | |
| Quantity | | | |
| Model Number | | | |
| Serial Number | | | |
| Date Acquired | | | |
| Transfer Date | | | |
| From: Department | | | |
| To: Department | | | |
| Disposal Date | | | |
| Acquisition Cost | | | |
| Useful Life | | | |
| Asset Location/Department | | | |
| Manager Signature | | | |
| Director Signature | | | |

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: CAPITAL IMPROVEMENT PROJECTS** | **NUMBER: FIN-4** |
| **EFFECTIVE DATE: JUNE 26, 2002** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## CAPITAL IMPROVEMENT PROJECTS

The City Council, at the recommendation of the City Manager, approves Capital Improvement Projects (CIP) and funding sources. The City Manager may approve projects requiring $25,000 or less. Once approved, the Project Manager is responsible for the day-to-day activities related to the CIP, including but not limited to, budgeting, contract administration, subsequent financing needs, and periodic pay application requests. The Finance Department is responsible for the set up and financial oversight of each CIP within the accounting system.

### A. Proposal and Approval

- In the proposal stage of a project, staff conceives the project based upon known need and/or citizen input. Staff further develops the idea, then presents a proposal to Council. Hearings are scheduled, and if adopted, the CIP's funding requirements are planned for in the five-year capital budget plan.

- The Project Manager develops a budget for the planned use of funds and confirms with Finance Department when funds will be available. The Project Manager and Accountant work together to set up a project within the project accounting module that reflects the account numbers to be used, budget and funding. This is done by completing the Project Setup and Maintenance form. (**Attached as Exhibit "A"**). Other miscellaneous information is collected at this time. During the annual budget process, Project Managers will enter an annual project budget.

- **Financing must be available and assigned to the project before expenditures are made.** Prior to taking bids, available funding should be confirmed with the Accountant. Project Bids are received by the Purchasing Department in accordance with established procurement procedures. A Project Manager or Purchasing department representative is responsible for presenting bids (requisitions) to Council for final approval. The Project Manager will prepare a draft Council Communication on the Proposed Capital Improvement Project for presentation to the City Council; this draft will be routed to the Accountant for review one day prior to the Agenda Meeting. This communication contains all relevant information for Council consideration, including a revised budget and

the source(s) of funding. The Project Manager or Department Director and Accountant meet with the City Manager to review the draft at the Agenda Meeting, prior to its presentation to Council.

**B. Purchasing and Invoice Processing**

1. Upon approval by the City Council, the executed contract constitutes the City's obligation to purchase goods and/or services. Within five (5) business days of contract approval, the requisition (contract amount including reimbursable expenses if specified) is entered in the Purchasing/Inventory (PI) system. This process encumbers funds for the amount of the contract. The Project Manager's department secretary typically enters requisitions. Requisitions are approved on-line by the Department Director, and then converted to a purchase order or inverted purchase order by the Purchasing Manager. Field purchase orders are not allowed for capital purchases.

2. When an original invoice is received from a vendor, the Finance Department forwards it to the Project Manager. The Project Manager completes the Capital Improvement Project Check Request (CIPCR) form (to be used as a cover sheet-one invoice per coversheet). (**Attached as Exhibit "B"**) The department receipts the invoice against the Purchase Order. The Check Request and original invoice are routed to the Department Director for signature then forwarded to the Finance Department. The Accountant reviews the CIPCR and invoice to confirm its accuracy, budget information, funding source(s), discounts, account distribution, and retainage, if any. If errors are detected, the invoice and coversheet may be returned to the Project Manager for correction. The Finance Department will send the invoice and approved coversheet to the City Manager for approval. The City Manager's office routes the invoice to the Finance department for invoicing. (The Project Manager may need the invoice prior to processing to verify information in the field regarding the stage of completion, quantities, or quality of work performed, as it may be necessary to negotiate with the Vendor on these or other issues, before approving payment.)

3. The Accounting Assistant processes the reviewed and approved invoice in the same manner as any other invoice per the Accounts Payable Policies and Procedures. If a CIPCR is required to be processed as a Check Request, e.g. payment of retainage or an invoice relates to more than one Project, the PO Number may be referenced. If a Check Request is processed for an invoice already set up in the Purchasing system as a Purchase Order, the Check Request will result in a duplicate encumbrance.

**C. Capital Improvement Project Revisions**

1. When changes to original contracts occur, revisions must be documented and approved. Examples include cost overruns (positive change orders), reductions to contract amount (deductive change orders), addition of subsequent phases, or increase in unit prices. The Project Manager processes the Contract Change Order (CCO) form for changes to the original contract amount. (**Attached as Exhibit "C").** This CCO must be approved by the City Manager and routed to

Purchasing, where it will be used as a source document to change the original purchase order. When changes to contracts result in a need for additional funding, the Capital Project Funding Request (CPFR) form should be filed for changes in sources and amounts of funds. (**Attached as Exhibit "D").** The Accountant completes the CPFR during a meeting with the Project Manager. The Accountant signs the form, then routes to the Department Director and the City Manager for signature. Budget Adjustment forms should be processed as well to document increases or decreases in the budget resulting from the aforementioned changes.

2. The Accountant enters the approved revision(s) in the accounting system. All subsequent transactional activity will be processed against the revised amounts.

3. The City Manager is authorized by Council to approve budget adjustments/funding requests up to 25% of the total cost of the contract. Council must approve changes that exceed established limits.

**D. Status of Capital Improvement Projects**

1. Periodically, the Accountant will review the percentage of completion of each active Capital Improvement Project by contacting the Project Managers. This determination should be performed at least annually as of the City's year-end, September 30, to ensure proper classification of Project costs.

2. The Project Manager must advise the Accountant when a Project is completed. This will allow timely re-classification of Project costs to Fixed Assets and reduce the burden of year-end procedures.

**E. Accounting for Capital Improvement Projects**

1. Retainage is recorded as a payable as incurred. Upon completion of contract requirements, including lien waivers if applicable, the Project Manager will approve the release of retainage to the vendor. Project Manager will notify the Accountant when all contracts within a Project are complete and paid in full. The Accountant will close the project to Fixed Assets. The Finance Department should receive a copy of all Letters of Final Acceptance if any, and/or any other financially related documentation.

2. The budget is set up for a Project by utilizing expense accounts. As costs are incurred, the respective expense accounts are charged. At year-end, the Accountant will reclassify incomplete project expenditures to the construction- in-progress account; costs for completed projects will be reclassified to the appropriate fund's Fixed Asset account (referred to in previous paragraph). Upon completion of a project, the Accountant will reclassify any remaining cash and investment assets to that department's miscellaneous project account (XX9999) making the funds available for future Capital Improvement Projects. The project and its accounts will be inactivated.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: CITY CASH HANDLING** | **NUMBER: FIN-5** |
| **EFFECTIVE DATE: AUGUST 31, 2017** | |
| **AMENDS/SUPERSEDES: DECEMBER 1, 2003.** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## CASH HANDLING

The establishment of cash handling procedures is necessary to ensure proper internal controls, segregation of duties, and adequate safeguards of City assets. In addition, strong internal controls are designed to protect employees from inappropriate accusations of mishandling funds by defining employee responsibilities in the cash handling process. Cash is considered to include coin, currency, checks, money orders, and credit card transactions.

I. General Cash Controls

- Segregation of duties is essential to prevent one individual from having responsibility for more than one component. The components of cash handling are collecting, depositing, and reconciling.

- Physical protection of funds through the use of bank facilities, vaults, and/or locked cash boxes/drawers shall be practiced at all times.

- When credit card payments are received, ensure the amount charged to the credit card agrees with the amount entered into the system. If applicable, do not allow the walk-up customer to leave with the top copy of the credit card receipt.

- A sign shall be prominently displayed in each cash collection area advising customers that a cash receipt is available upon request.

II. Cash Receipting

- All departments with cash operations should have a permanent collection record, such as a cash register tape or system generated report, that has a record of all transactions including voids, refunds, and cancellations.

- All revenues collected should have a receipt issued at the point of sale or collection, unless exempted, in writing, by the Finance Department. If unable to use the cash receipting system to generate a receipt, an official, pre-numbered receipt (in triplicate) must be used.

- All handwritten receipts should be pre-numbered to ensure there are not any lapses in sequence.

III. Deposits

1. The general operating standard for deposit of negotiable funds to the primary depository shall be within 24 hours of receipt of those funds. The Finance Department should weigh reasonableness and practicality versus security in determining the timing for deposits of small amounts, but deposits shall be prepared daily and transmitted weekly at a minimum. All deposits are to be held in a secure location.

2. Deposit all funds received. Do not make refunds, pay expenditures, or create a change fund from cash receipts.

3. Departments with a cash manager safe will deposit all cash notes directly into the cash manager safe daily.

4. Any coin currency and notes not accepted by the cash manager safe will be put into a separate bank bag daily. All deposits are to be held in a secure location until the next armored car pick up.

5. Departments not serviced by the armored car pick up shall deliver their cash deposits in a sealed bank bag to their designated department where it will be logged on the Red Book. Once the deposits are logged, the money becomes the responsibility of the department that has custody of the funds. The sealed bank bag will remain in a secure location until the next armored car pick up.

6. Departments with a cash manager safe will have a designated armored car pick up schedule. Upon pick up, verify the guard's identification badge. Verify the packages being picked up, and ensure the quantity matches what is being picked up. The cash manager safe will print (2) two Collection Report Receipts. One receipt is for the guard, the second receipt is to be submitted to the Finance Department.

7. All checks received by the departments will be deposited daily through the ANB Remote Check Scanner.

8. Each department will electronically submit required cash receipts documentation to the Finance Department. Required documentation includes each department's system generated report of all daily cash received (if applicable), Tyler Cashiering Reports (if applicable), deposit slips, collection report receipts, listing of checks deposited through the ANB Remote Deposit Scanner, and copies of checks that meet any of the following criteria: 1) $10,000 or more; or 2) grant funds in any amount; or 3) donations in any amount.

9. If a loss/shortage occurs, it should be noted and signed off by the immediate supervisor or manager. Over/shorts should be entered into your departments financial software in order to balance the batch, when applicable. It is the responsibility of each department to monitor losses/shortages. Significant losses are subject to an internal investigation and if warranted, appropriate disciplinary action may be taken up to and including termination of employment.

IV. Change Funds

1. Change funds are to be maintained only for the intended purpose and are not to be commingled with other cash funds. No department/division shall maintain a change fund without receiving written permission from the Finance Department for the establishment of such funds.

2. Each change fund should be maintained at an amount equal to the amount on the check for which the change fund was established.

3. Each change fund should have a designated custodian responsible for the fund. The number of employees with access to the change fund should be limited.

4. Change funds are not to be used as petty cash funds. They are to be used only for making change. Cash receipts are not to accumulate in a change fund. Each change fund is to be balanced daily and all receipts are to be deposited daily. The balancing documentation should be maintained for future reference. The documentation should include: date, amount, description, and tender type.

5. Personal transactions with change funds are prohibited. Monies may never be borrowed nor loaned from change funds, nor may personal checks be cashed from receipts. If prohibited transactions do occur, appropriate disciplinary action may be taken up to and including termination of employment.

V. Petty Cash

See Petty Cash Policy

VI. Returned Checks/EFTs

1. When a check or EFT (electronic funds transfer) does not clear the bank, the Finance Department will receive a notice from the bank. The original notice will be forwarded to the department that originally deposited the check/EFT. It is that department's primary responsibility to collect on the returned check/EFT, in addition to the returned check service charge. If the department is unable to collect on the check within 60 days, the check/EFT

shall be returned to Finance for a final determination to write off the bad debt, pursue legal recourse, or collection through an agency for the bad debt.

G. Banking Services and Account Opening Policy

1. The Finance Department is responsible for the City's banking relationships. A separate, but coordinated, process shall be conducted for armored car services.

2. Establishing or closing bank accounts is the responsibility of the Finance Department.

3. Any document requesting an authorized signature for bank related services should be forwarded to the Finance Department.

H. Audits of Change Funds

1. At any time without notice, the Finance Department may audit the change funds. The current cash balance should equal the established balance for the fund plus current day's receipts.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: CITY VEHICLE USE** | **NUMBER: FIN-6** |
| **EFFECTIVE DATE: FEBRUARY 1, 2019** | |
| **AMENDS/SUPERSEDES: MAY 1, 2009;**<br>**CITY VEHICLE USE No. 27** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## CITY VEHICLE USE

It is the policy of the City of Allen to provide City vehicles for employee use in certain circumstances and situations, and to provide vehicle allowances or mileage reimbursements to other employees who are required to use their personal vehicles to conduct City business. The City of Allen desires to have established procedures which will ensure consistency concerning the use of "take-home" City vehicles. The City also desires to establish consistent guidelines for those employees who receive vehicle allowances and mileage reimbursements.

Decisions regarding the use of vehicles which are not explicitly stated herein will be left to the discretion of the appropriate Department Director, as authorized by the City Manager. Department Directors are authorized to administer, provide guidance, and ensure compliance with this Policy.

### VEHICLE OPERATOR STANDARDS

I. PURPOSE

The purpose of this Policy is to establish consistent procedures for the use of City of Allen vehicles, to establish conditions for taking City vehicles to an employee's residence, and to establish procedures applicable to City employees who receive vehicle allowances or mileage reimbursements.

II. DEFINITIONS

A. A City vehicle is defined as any passenger car, truck, (motorized equipment is addressed in B.), or similar type vehicle as defined by the Texas Motor Vehicle Law which is owned, leased, rented, or otherwise under the care, custody, or control of the City of Allen, including police and fire vehicles.

B. Motorized equipment includes, but is not limited to, backhoes, bulldozers, mower-tractors, loaders, graders, and similar equipment that requires a state-issued driver's license for operation on public roadways.

C. Driving records include the complete driving history of an employee as can be discerned from any official records.

D. City business is defined as any work done by a City employee on behalf of the City.

E. Authorized personnel are defined as City employees who have been designated by their Department Head to use a City vehicle within the course and scope of their duties.

F. "On-call" employees are those City employees who drive City vehicles to and from their home, conducting after hours service calls.

III. RESPONSIBILITIES

Authorized personnel shall be required to meet the following minimum conditions of eligibility for the privileges under this policy:

A. Have reached the age of eighteen years to operate City vehicles.

B. Have accumulated fewer than ten (10) points on the Operator Standard scale as judged by the Human Resources Department review of the employee's driving records. (See Chapter 18.04 D in the Personnel Policies and Procedures Manual)

C. Be able to operate a City vehicle properly and safely with or without accommodation.

D. Have current valid Texas driver's license in the appropriate class as established on the official description for the position.

E. Observe all laws, ordinances, and work rules relating to the operation and care of City vehicles.

F. All employees who receive a vehicle allowance or mileage reimbursement from the City will maintain personal automobile insurance as required by the State of Texas.

IV. PROCEDURES

A. USE OF CITY VEHICLES

Authorized Personnel who use City vehicles will adhere to good stewardship practices and common sense pertaining to responsible use of the vehicles. Employees who use City vehicles must adhere to the following instructions which include, but may not be limited to:

1. Vehicles must be properly cared for and maintained in accordance with departmental procedures.

2. Maintaining proper operational procedures.

3. Notifying the immediate supervisor/manager in the event of vehicle damage, a need for repairs, and/or any incident involving a complaint or a condition which is believed by the employee to reasonably result in a complaint.

4. All City vehicles must be operated in the manner prescribed in applicable State laws and City ordinances.

5. No employee shall operate any City vehicle in a hazardous, unlawful, or reckless manner.

6. While operating a City vehicle the employee and any passengers in the vehicle must wear seat belts.

7. Employees are prohibited from transporting unauthorized persons in any City vehicle without the permission of the immediate supervisor.

8. No employee shall alter, repair, or in any way change, add to, or remove, any parts or accessories of any City vehicle unless proper permission is obtained prior to such action. *An employee should never operate a vehicle believed to be unsafe*.

9. The use of a City vehicle to conduct personal business is prohibited other than for incidental uses, such as stopping at a restaurant or convenience store. <u>However, in no case shall a City vehicle be used in the conduct of purchasing, transporting, or consumption of alcohol.</u>

10. All employees who are subject to United States Department of Transportation rules regarding safety sensitive positions shall be subject to a breath test for alcohol and urine test for the presence of illicit drugs at detectable limits established by the Department of Transportation.

11. No tobacco products will be used in City vehicles at any time.

12. The operator of a City vehicle shall remain constantly aware of the public perception of, and expectation of, driver courtesy from all drivers of City vehicles. All drivers of City vehicles are expected to maintain courteous driving habits, including but not limited to:

a. Courteous yielding to other vehicles when appropriate;

b. Prudent use of the vehicle's horn; and

c. Patient and defensive driving techniques.

13. Driving eligibility and reinstatement is covered by Chapter 18.04 of the City of Allen's Personnel Policies and Procedures Manual.

B. USE OF PERSONAL VEHICLE ON CITY BUSINESS

1. Notifying the immediate supervisor/manager in the event of an accident and/or any incident involving a complaint or a condition which is believed by the employee to reasonably result in a complaint.

2. All personal vehicles used for the conduct of City business must be operated in the manner prescribed in applicable State laws and City ordinances.

3. No employee shall operate a personal vehicle under his/her control for the conduct of City business in a hazardous, unlawful, or reckless manner.

4. While operating a personal vehicle within the course of their normal job duties the employee and any passengers in the vehicle must wear seat belts.

5. The operator of a personal vehicle on City business shall remain constantly aware of the public perception of, and expectation of, driver courtesy from all drivers of City vehicles. All drivers are expected to maintain courteous driving habits, including but not limited to:

a. Courteous yielding to other vehicles when appropriate;

b. Prudent use of the vehicle's horn; and

c. Patient and defensive driving techniques.

6. Driving ineligibility and reinstatement is covered by Chapter 18.04 of the City of Allen's Personnel Policies and Procedures Manual.

C. DEPARTMENT PROCEDURES

1. In addition to the aforementioned requirements, each City department utilizing City vehicles shall develop and maintain departmental procedures regarding their use to include after-hours usage, on-call duty restrictions, etc. Said procedures are to be approved by the City Manager prior to implementation and when revised.

2. Department procedures shall be consistent with this Policy.

D. TRAFFIC CITATIONS

1. An employee operating a City vehicle or while operating a personal vehicle within the course of their normal job duties shall notify his/her supervisor in the event of receiving a traffic citation. However, the City is not responsible for the payment or defense of such a citation. The severity of a citation and/or the frequency of receiving citations may result in disqualifying an employee from operating City vehicles or equipment, as determined by Human Resources. This may result in disciplinary action up to and including termination if driving is an essential function of the employee's job.

E. INJURIES AND/OR ACCIDENTS

1. You are required to report any on-the-job injuries or accidents to your supervisor immediately, with copies furnished to Human Resources, even if you feel the injury is very minor and does not require hospitalization or the attention of a medical professional. Failure to report accidents or injuries may be cause for disciplinary action including, but not limited to, loss of benefits and termination.

2. The operator/occupants involved in any vehicular accident within the course and scope of their City duties shall take the following actions when involved in an accident:

   a. Stop immediately.

   b. Give whatever aid you can to any injured parties.

   c. Notify police immediately through radio dispatch or by telephone.

   d. Make no admission of fault or negligence to anyone. Be courteous, but do not discuss the accident with anyone except with the police officer investigating the accident, and

do not sign any statement or releases, excluding police documents.

e. Exchange name, address, insurance information, and driver's license numbers with the drivers of the other involved vehicles.

f. If on a controlled access highway, remove the vehicle from the roadway (if possible). Otherwise, unless required for safety reasons, do not move the vehicle involved until instructed to do so by a police officer. Do not move the vehicle in the event of an injury accident until directed by the police officer.

g. Immediately notify your supervisor or Department Director regarding any accident involving damage to a City vehicle, private vehicle, private property or injury to a person. A "Motor Vehicle Accident Report" will be completed within twenty-four hours and copies distributed accordingly, including to the Human Resources Department. Failure to immediately report any accident or vehicle damage may result in disciplinary action including termination.

h. Drug and alcohol testing will be required for the operator involved in a vehicular accident per section 16.04-2-C of the City's Personnel Policies and Procedures manual. Positive results will result in disciplinary action, up to and including termination.

F. ACCIDENT REVIEW

1. The City's Accident Review Policy is a minimum standard which all departments are required to meet. Accidents involving Police and Fire vehicles/equipment are subject to the General Orders and Standard Operating Procedures of the respective departments in so far as those General Orders and Standard Operating Procedures meet these minimum requirements.

2. Accidents involving City vehicles/equipment will be reviewed on a case by case basis by the respective Department Head.

3. The following procedures are to be followed for each accident involving City vehicles/equipment:

   a. Investigate- Department head will direct an investigation of the accident and review the facts associated with the incident. At the discretion of the department head, related facts associated with the incident may consist of a police report(s), repair estimate(s), and/or witness accounts or statements.

b. Assign Fault- Based upon the facts of the investigation the Department Head will determine who is at fault and if the accident was preventable, unpreventable, or indeterminable.

c. Discipline- Discipline will be determined by the Department Head as outlined in Chapter 12 of the City's Administrative Directive and Policy Manual. Depending on the circumstances of each case, disciplinary action shall be administered progressively and shall include, in order of severity (the City of Allen reserves the right to skip steps if warranted):

i. Oral Warning
ii. Written Warning
iii. Suspension
iv. Involuntary Demotion
v. Discharge

4. Employees may appeal disciplinary actions to the City Manager in accordance to the City of Allen's appeal procedure under Section 17.02 of the City's Personnel and Procedures Manual.

G. USE OF ELECTRONIC COMMUNICATION DEVICES AND SAFE DRIVING

All City employees are expected to drive with safety as the first consideration. This includes driving safely and using caution while operating cellular telephones, electronic paging devices, radios, and/or other wireless personal communication devices. Recommendations for safe handling of vehicle-based calling include the following:

1. The driver of a vehicle may not use a cellular phone while the vehicle is in motion. The driver will pull off the road to dial a number or participate in a conversation. A passenger in the vehicle may serve as a liaison regarding the phone conversation.

2. Do not use an electronic communication device at all if there are hazardous road or traffic conditions.

NOTE: Public safety personnel are exempt from the restrictions of using electronic communication devices.

Employees are responsible for, and will be held accountable for, safe driving at all times.

H. TAKE-HOME VEHICLE POLICY

Employees may be assigned by the appropriate supervisor/ manager/director with final approval by the City Manager and completion

of Take Home Vehicle request form to take a City vehicle to the employee's residence as provided in this policy. Employees may be authorized to take City vehicles to their residences under the following circumstances (rotating on-call personnel are excluded from this section):

a. Written authorization from the Department Director establishing such use.

b. Such assignment shall not be given to an employee who does not reside less than or equal to twenty (20) air miles from City Hall (determined from the City Hall Art Monument to the employee's residence).

c. Such privilege constitutes the best interests of the City.

Employee's that qualify for a take-home vehicle, but fail to meet the requirements of Section H, Item b, will be eligible for an auto stipend of $150 in instances where the employee physically reports back to their work site after hours. Employees assigned a take-home vehicle after 02/01/2019 are not eligible for the stipend.

2. The following conditions and regulations will govern the use of City vehicles by employees who are authorized to take City vehicles home:

a. All precautions shall be taken to ensure the safety and security of City vehicles. This includes, but is not limited to, locking all doors and/or compartments and properly parking vehicles in accordance with applicable laws and ordinances.

b. Avoid situations that would give rise to a legitimate complaint from neighbors, such as blocking streets, driveways, alleys, etc.

c. In no case shall a person other than the City employee be allowed to operate or drive the City vehicle.

d. Employees may carry immediate family (those who reside at their residence) in the vehicle. If a routine service request is received, the employee's family member(s) may respond with him/her. On all other calls, the family member(s) should be taken home or other arrangements made.

e. Department Directors have the authority to state that no family member may be in a City vehicle responding to certain situations unless under exigent circumstances. If the nature of the response requires sirens and lights, an employee shall

not have anyone else in the vehicle ☐ other than a City employee ☐ when responding to the call.

f. Employees **will not** use City vehicles to haul or tow anything other than City equipment needed in the performance of their duty.

g. Employees **will not** possess, purchase, or be under the influence of drugs or alcoholic beverages while operating City equipment.

h. Employees **will not** use any tobacco products while operating City equipment.

i. Employees **will not** conduct any business of a personal nature, except when the employee is on "on-call" status for the limited purpose of attending to personal needs such as picking up their children, grocery shopping, going to dinner or the theater.

j. Employees **will not** conduct any business of a personal nature, for profit, while operating City vehicle.

k. Employees **will** observe and obey all traffic laws and operate the equipment in a safe and courteous manner.

l. Employees **will** always wear their seat belt while operating or riding in a City vehicle

## I. PERSONAL USE OF CITY VEHICLES

According to Federal guidelines and for purposes of tax calculations only, certain vehicles and equipment, particularly emergency and utility service vehicles (normally not including pickup trucks or vans) designated by Federal law are exempt for the purpose of increased tax liability. This exemption means that the taxable income of the employee assigned one of these vehicles will not be affected. All other vehicles of the City are classified as "non-exempt." These vehicles normally include pickup trucks and vans. By "non-exempt," the Federal government means that a tax liability will be incurred by the employee to whom the use of the vehicle is assigned.

An employee who has a non-exempt take-home vehicle will have an assessment, as set by the Federal government each year, added to their taxable income for each day of use. This assessment will only be added for the days the vehicle is used, not to include vacation, sick leave or holidays. The assessed amount is added to the employee's taxable income only for the purpose of calculating the tax liability. The employee assigned the use of a non-exempt take-home vehicle will be responsible for the tax on the assessed amount.

Example: At the current assessed amount of $1.50 per one-way commute, the taxable benefit to the employee is $3 for each working day. If a particular employee commutes to and from work using a non-exempt vehicle 240 days in a calendar year, the taxable benefit is $720 for that year. An employee in a 15% tax bracket for regular wages would incur $108 tax liability for the year.

A list of employees assigned take-home City vehicles must be furnished to the Finance Department at the beginning of each calendar year and updates must be provided as changes occur. The list must include the type of vehicle the employee is taking home so any potential tax liability can be determined. Finance will notify each department regarding which employees are driving non-exempt vehicles and those employees must submit a report to Finance each month showing how many days they commuted in the City vehicle during that month.

J. VEHICLE ALLOWANCES OR MILEAGE REIMBURSEMENT

Vehicle allowances are approved by the City Manager and are paid to the employees as additional monthly income through the payroll system. Vehicle allowances do not apply to travel greater than a 60 mile radius of Allen. Mileage reimbursement at the IRS rate applies after the 60 mile radius.

City employees may receive a mileage reimbursement as compensation for using their personal vehicle for authorized City business. City employees will be reimbursed at the prevailing federal per-mile rate. On an annual basis, the Internal Revenue Service (IRS) provides the mileage rate for business use of a vehicle using the Vehicle-Cents-Per-Mile Valuation Rule.

City employees who receive a vehicle allowance will not use a City vehicle in lieu of their personal vehicles unless one of the following conditions exists:

1. The employee's personal vehicle is temporarily out-of-service due to mechanical reasons; or

2. The employee is traveling to a work site with another employee who would normally drive a City vehicle to that site; or

3. Three or more City employees are traveling together to the same location or work site and the vehicle(s) of the employee(s) receiving a vehicle allowance or mileage reimbursement cannot accommodate the total number of passengers.

An employee using a City vehicle under the preceding conditions is not required to reimburse the City a portion of his/her vehicle allowance or mileage reimbursement IF the City vehicle is utilized for forty-eight hours or less.

However, an employee using a City vehicle longer than forty-eight hours must reimburse the City for each subsequent day the City vehicle is driven to the employee's residence, using the following procedures:

1. The employee will calculate the amount of reimbursement by dividing their monthly vehicle allowance or mileage reimbursement by thirty, and then multiplying the result by the number of nights (beyond the forty-eight hour limitation) that the City vehicle was taken to the employee's residence.

2. The employee will prepare a memo to the Director of Finance, instructing the Finance Department to deduct the calculated reimbursement amount from the next vehicle allowance or mileage reimbursement payment. A copy of the memo shall also be sent to the employee's Department Director.

K. STICKERS, DECALS AND/OR EMBLEMS

1. No unauthorized stickers, decals or emblems will be placed on City vehicles or equipment.

2. Authorized identification decals and/or emblems shall be placed on the vehicles and equipment in a consistent manner.

    a. The City Identification Number should be located above the "model" emblem on the right rear area of the tailgate, trunk area or body of the unit AND on each front fender above the "model" emblem, if possible, or at the top of the fender between the wheel well and the front door.

    b. On white vehicles, the number shall be blue and on dark vehicles, the number shall be white.

3. Contact the Assistant Director of Community Services for number specifications and ordering information regarding numbers, signage, etc.

L. REDUCTION IN IDLING

Idling is the continuous operation of a vehicle’s engine when the transmission is not engaged or the vehicle is in park. This policy applies to all staff who operate City vehicles or equipment.

1. Restrictions

    a. No engine idling (other than reasonable engine warm up) is permitted.

    b. When a driver exits the vehicle, the engine will be turned off.

    c. Vehicles or equipment will not be left unattended while the engine is running.

    d. Vehicles will not be left running to maintain cabin temperature.

    e. Vehicles waiting to be loaded or unloaded will have the engine turned off if the idling time will exceed five minutes.

2. Exemptions

    The vehicles and operating conditions noted below are exempt from the idling restrictions listed above:

    a. Idling vehicle due to traffic congestion.

    b. Idling vehicle or equipment for maintenance/diagnostic purposes.

    c. Vehicles operated solely to defrost a windshield.
    d. Vehicle idling during power take offs, which require engine operation.

    e. Passenger vehicles requiring heat or air conditioning necessary for passenger comfort and safety (e.g., school buses and emergency vehicles).

    f. Clearly marked police, fire, or public works emergency vehicles that are required to idle in order to operate auxiliary equipment considered necessary for work crew and/or public safety. Auxiliary equipment may include light bars, strobe and/or directional lighting.

L. DISCIPLINARY PROVISIONS

Violation of any of these provisions may be grounds for disciplinary actions, up to and including revocation of driving privileges, demotion, and termination.

M. FORKLIFT USE POLICY

Training and certification must be completed by the employee prior to operating a forklift. A certification card will be given to the employee upon completion of training. A refresher course must be taken every two years after initial completion of training. Hardhats and eye protection are to be worn while operating a forklift. The following violations while operating a forklift will result in points to determine driver eligibility (Section 18.04 D Operator Standards).

| Violation | Points |
|---|---|
| Any at-fault bodily injury accident to another employee or citizen | 3 |
| Any at-fault property accident | 3 |
| Any at fault property damage accident totaling less than $1,000 and does not involve a citizen or any other privately owned property | 1 |

If an accident is deemed to not be a result of the forklift operator's negligence, no points will be recorded. Failure to comply with guidelines may result in disciplinary action up to and including termination.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: GRANT PROCEDURES** | **NUMBER: FIN-7** |
| **EFFECTIVE DATE: MAY 1, 2018** | |
| **AMENDS/SUPERSEDES: Jan 15, 2003** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## GRANT PROCEDURES

The establishment of policies and procedures for the coordination of Federal, State and Local grants is important in ensuring accurate reporting, sufficient budgeting, and required record-keeping for external audits. There are two types of grants: Upfront grant- where the agency awards money as the grant is awarded, and Reimbursable grant- where the agency reimburses money during the grant period based on progress and reimbursement requests submitted to the agency.

### I. General Procedure

1. Each department communicating with an external agency, for the purpose of securing financial assistance, will provide electronic files to the Finance Department's designated grant coordinator: a) copy of the summary, purpose and executed acceptance letter, b) interim financial reports, reimbursement requests, miscellaneous billings and cash receipts not prepared by the Finance Department's designated grant coordinator.

2. When applying for a grant with a City matching requirement of $25,000 or more, the grant application, with detailed statement of budget impact, will be provided to the Finance Department's designated grant coordinator for review. The detailed statement of budget impact will then be routed to the CFO and City Manager for approval before the application is submitted to the external agency by the initiating department. Once submitted and if awarded, the initiating department will coordinate with Finance to set up a project number and request budget amendment if the amount was not previously included in the budget.

3. The Finance Department's designated grant coordinator will maintain an electronic file of and upload electronically into the MUNIS project ledger, financial documents pertaining to any financial assistance awarded to the City to facilitate an external agency audit and preparation of necessary audit schedules. The initiating department will maintain all original financial documents.

4. Where applicable, for both an Upfront grant and Reimbursable grant, the initiating department will prepare and submit the reimbursement request and notify the Finance Department's designated grant coordinator of the amount and expected date of when the upfront grant money or reimbursement is expected.

5. Any financial assistance funds received by the City should be immediately receipted. If the receipt is by check, the initiating department should receipt it through the Tyler Cashiering system. If by EFT, the initiating department should inform the Finance Department's designated grant coordinator of the amount and date expected to be received.

6. When possible, City matching funds required by financial assistance awards for operational grants should be included in the Internal Service department budget if approved by the City Manager.

7. Financial assistance awarded to the City may be used to increase the authorized total project budget. To change the scope and dollar amount of a project, authorization must be obtained from City Council or the City Manager as outlined in the Capital Improvement Projects-Policies and Procedures-Section C.

8. Projects with financial assistance awards with matching funds will be reviewed by the Finance Department to ensure the City matchings funds are available and match the grant documents.

## II. Application Procedure

1. The initiating department requesting financial assistance will prepare all grant application paperwork for electronic submission to the external agency.

2. Prior to electronic submission of an application for a grant requiring City matching funds of $25,000 or more, a statement of budgetary impact will be submitted to the Finance Department's designated grant coordinator and submitted for approval by the CFO and City Manager. Without approval, no grant is to be submitted.

3. An electronic file of the approved grant application should be sent to the Finance Department's designated grant coordinator. The document will include (but not be limited to) any electronic communication between the initiating department and the agency, all executed application forms and all grant identification numbers.

## III. Award/Acceptance Procedure

1. The initiating department will appoint a contact person for each grant. The contact person will keep the Finance Department's designated grant coordinator updated on a regular basis and will copy or provide all communication with the granting organization throughout the life of the grant.

2. When financial assistance is granted by the external agency, the initiating department will prepare a resolution to submit for City Council approval. If a City

Council resolution is required with grant submission, it will still be necessary to submit a resolution upon acceptance for City Council approval. The resolution will detail the budgetary impact of the grant and will authorize the associated expenditure. The resolution will be reviewed by the initiating department's grant coordinator and the Finance Department's designated grant coordinator prior to being submitted to the City Council. The initiating department is also required to either identify the City's funding portion in the resolution or have an amendment approved by the City Manager prior to the agenda.

3. When the grant is approved by City Council, an electronic copy of the signed resolution will be forwarded by the initiating department to the Finance Department's designated grant coordinator. The initiating department's grant coordinator is responsible for establishing and entering the budget in the system.

4. All financial assistance acceptance letters must be signed by the City Manager or his/her designee.

## IV. Administrative Procedure

1. It is the responsibility of the initiating department to provide an electronic copy of all interim financial reports and/or reimbursement requests to the Finance Department's designated grant coordinator at least ten working days prior to any deadline. The Finance Department's designated grant coordinator will return the documents to the initiating department within two working days to allow for electronic submission.

2. Where applicable, financial reports and reimbursement requests will be signed by the Director of the initiating department before submission to the external agency. The initiating department will notify the Finance Department's designated grant coordinator of the amount and expected date of when the upfront grant money or reimbursement grant money is expected.

3. The Finance Department's designated grant coordinator will maintain the financial documents for approved grants received by the initiating department. It is the responsibility of the initiating department's grant coordinator to input the budget and advise the Budget Manager and the Finance Department's designated grant coordinator on the current and proposed budget during the annual budget process.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: PAYROLL DIRECT DEPOSIT** | **NUMBER: FIN-8** |
| **EFFECTIVE DATE: AUGUST 31, 2006** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## PAYROLL DIRECT DEPOSIT

Direct Deposit is a valuable benefit that allows City employees to have their paychecks electronically deposited into a checking or savings account at any bank, credit union or savings and loan.

The benefits of using direct deposit are:

- There are no checks to be lost or stolen.
- Employees get paid on time, even when out of town, sick or unable to get to the bank.
- Employees unable to have a bank account will automatically be approved for an account with the City's depository bank.
- There is no check cashing fees or standing in long lines at the bank.
- Employees have access to their payroll funds immediately.
- Employees can have up to four direct deposits per payroll.
- Both the employee and their money are safe.

Employees currently enjoying direct deposit do not need to change anything. All new employees, employees currently receiving checks and future changes to existing direct deposits will abide by this policy.

### What is Direct Deposit

Direct deposit is the electronic funds transfer (EFT) of your biweekly payroll; otherwise known as ACH (Automated Clearing House) payment, into your checking or savings account at the financial institution (bank, credit union, or savings and loan) of your choice. The ACH system is a closed, private network that is not accessible to the general public and is not part of the Internet. It is an extremely safe network that has been in existence for over 30 years and is used by thousands of organizations for direct deposit of payroll, reimbursements and by the Federal government for Social Security payments and tax refunds.

**How Direct Deposit Works**

After timesheet hours are entered and calculations are completed, final payroll numbers become available and the ACH file for direct deposit is created. The City is required to send the ACH file to the City's depository bank two business days (on Wednesday) prior to the scheduled payroll date. From the City's depository bank the file is then sent to each employee's individual bank account. To meet this deadline, all direct deposit changes should be submitted, using the Payroll Direct Deposit Authorization form, to the Finance department by noon on the Monday of a payroll week.
On payday the City will provide each employee a paper confirmation of the direct deposit(s) confirming the date, deductions and net pay amount. Employees can confirm the deposit by calling the financial institution or go online.

**Authorization Form**

A Payroll Direct Deposit Authorization form is provided with this policy and will be used for all future additions and changes. To verify the information, for a checking account deposit include a voided check and for a savings account include a deposit slip.

**Direct Deposit Account Information**

Employees may have up to four direct deposits.

- One account must be designated as the ***default account***. If there is only one direct deposit, that account is automatically the default account and all of the net pay will be deposited to that account. The default account receives any net payment amount remaining after all other authorized deposits are made.

- If there is more than one direct deposit account, the dollar ***amount*** to be distributed to each additional account must be indicated (any remaining amount is deposited in the default account).

- If there is more than one direct deposit account, the ***distribution*** in which deposits should be made must also be indicated (in case a net payment is not large enough to cover all the direct deposits you requested).

Note: If the account ***requires*** more than one signature to authorize withdrawal of funds, all account owners must sign the direct deposit authorization form before submitting it for processing.

**Authorization for Recovery of Funds Deposited in Error**

By signing the direct deposit authorization form, the employee, account holder or joint tenant, if any, each consent to allow the City, through the financial institution, to debit the account to recover deposits made in error or by mistake to which the employee was not entitled. This means of recovery shall not prevent the City from utilizing any other lawful means to retrieve salary payments to which the employee is not entitled.

**Changes**

Employees may add or delete a direct deposit by completing a new Payroll Direct Deposit Authorization Form. When changes are made the priority of multiple deposits will need to be updated also. To change direct deposit priorities, please contact the payroll technician.
When changing accounts and/or financial institutions, employees should keep both accounts open until the new account has been credited with the direct deposit. In the period the change is submitted, the deposit to the old account will continue until the direct deposit to the new account takes place.

All changes or additions should be submitted to the Finance department by noon on the Monday of a payroll week.

**Cancellations**

The agreement represented by the authorization form remains in effect until cancelled by the employee or the financial institution. To cancel a bank account, the employee must complete an Enrollment/Change Form that contains all account information as required on the form and submit the form to the payroll technician.

If an employee cancels existing bank accounts or does not have a bank account, they will be required to maintain an account at the City's depository bank.

**Questions/Problems**

Industry wide, problems with direct deposits (ACH payments) are rare. The Finance department should be contacted immediately when questions arise**.**

**PAYROLL DIRECT DEPOSIT AUTHORIZATION (Electronic Funds Transfer)**
**ENROLLMENT/CHANGE FORM**

| Name (last, first, middle) | Department & day time phone number |
|---|---|
| | |

**1.** ☐ Add the following Direct Deposit ☐ Change the following Direct Deposit ☐ Cancel the following Direct Deposit

☐ Deposit a fixed amount of $_____
☐ Deposit NET PAY after previously selected fixed amount direct deposit(s)

Account Type:
Checking (include void check) ☐ Savings (include deposit slip)

**Name of Financial Institution** _____

Depositor's Account Number ☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Routing Number ☐☐☐☐☐☐☐☐☐

Distribution Order: ☐ 1 ☐ 2 ☐ 3 ☐ 4

**2.** ☐ Add the following Direct Deposit ☐ Change the following Direct Deposit ☐ Cancel the following Direct Deposit

☐ Deposit a fixed amount of $_____
☐ Deposit NET PAY after previously selected fixed amount direct deposit(s)

Account Type:
Checking (include void check) ☐ Savings (include deposit slip)

**Name of Financial Institution** _____

Depositor's Account Number ☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Routing Number ☐☐☐☐☐☐☐☐☐

Distribution Order: ☐ 1 ☐ 2 ☐ 3 ☐ 4

**3.** ☐ Add the following Direct Deposit ☐ Change the following Direct Deposit ☐ Cancel the following Direct Deposit

☐ Deposit a fixed amount of $_____
☐ Deposit NET PAY after previously selected fixed amount direct deposit(s)

Account Type:
Checking (include void check) ☐ Savings (include deposit slip)

**Name of Financial Institution** _____

Depositor's Account Number ☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Routing Number ☐☐☐☐☐☐☐☐☐

Distribution Order: ☐ 1 ☐ 2 ☐ 3 ☐ 4

**4.** ☐ Add the following Direct Deposit ☐ Change the following Direct Deposit ☐ Cancel the following Direct Deposit

☐ Deposit a fixed amount of $_____
☐ Deposit NET PAY after previously selected fixed amount direct deposit(s)

Account Type:
Checking (include void check) ☐ Savings (include deposit slip)

**Name of Financial Institution** _____

Depositor's Account Number ☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Routing Number ☐☐☐☐☐☐☐☐☐

Distribution Order: ☐ 1 ☐ 2 ☐ 3 ☐ 4

**Employee Signature** **Date**

**Co-Owner of Account Signature (if 2 signature are required)** **Date**

**PLEASE READ THIS CAREFULLY**

The information on this form is confidential and is needed to process payment data from the City to the financial institution and/or its agent. Failure to provide the requested information may delay or prevent the receipt of payments through the Payroll Direct Deposit/Electronic Funds Transfer Program.

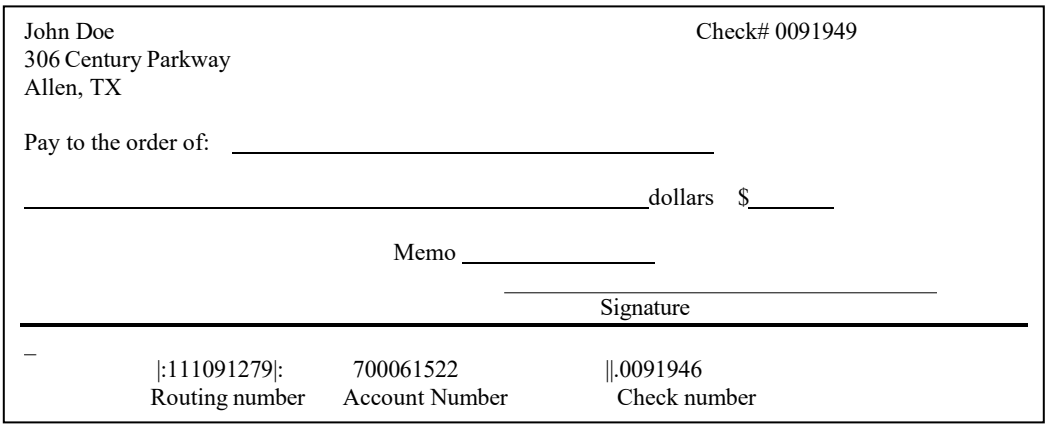
**MULTIPLE DIRECT DEPOSITS**
Employees may choose up to THREE fixed amount deposits, as well as one net pay direct deposit resulting in a limit of FOUR separate deposits per pay period.

**AUTHORIZATION FOR RECOVERY OF FUNDS DEPOSITED IN ERROR**
By signing this form, the employee, account holder or joint tenant, if any, each consent to allow the CITY, through the financial institution, to debit the account in order to recover any salary to which the employee was not entitled which was deposited to the account in error or by mistake. This means of recovery shall not prevent the CITY from utilizing any other lawful means to retrieve salary payments to which the employee is not entitled.

**CHANGES**
**All changes or additions to checking accounts require a copy of a voided check. Changes or additions to savings accounts require deposit slips. These documents are used to validate the correct routing number, account number and ownership of the account.**

Employees may add or delete a direct deposit by completing a new Payroll Direct Deposit Authorization Enrollment/Change Form. When changes are made the priority of multiple deposits will need to be updated also. To change direct deposit priorities, please contact the payroll technician.

When changing accounts and/or financial institutions, employees should keep both accounts open until the new account has been credited with the direct deposit. In the period the change is submitted, the deposit to the old account will continue until the direct deposit to the new account takes place.


John Doe
306 Century Parkway
Allen, TX

Check# 0091949

Pay to the order of: _____

_____ dollars $_____

Memo _____

_____
Signature

_

|:111091279|: Routing number  700061522 Account Number  ||.0091946 Check number

**DEADLINES**
**All changes must be submitted to the Finance department by noon on the Monday of a payroll week to avoid delays in receiving pay on the scheduled payroll date.**

**CANCELLATIONS**
***The agreement represented by this authorization remains in effect until cancelled by the employee or the financial institution. To cancel, the employee must complete an Enrollment/Change Form that contains all account information as required on the form and submit to the payroll technician.***

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: PETTY CASH** | **NUMBER: FIN-9** |
| **EFFECTIVE DATE: FEBRUARY 17, 2004** | |
| **AMENDS/SUPERSEDES: NO. 14** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## PETTY CASH

The purpose of Petty Cash is to provide immediate access to funds for making emergency or immediate purchases of incidental items. Employees are not expected to use their personal funds to make purchases on behalf of the City. They may obtain a cash advance prior to making the purchase or receive reimbursement for expenses incurred within the designated petty cash policy and limits. All purchases using petty cash should be exempt from sales tax. Petty cash funds are not to be commingled with other cash funds. Petty cash funds are to be maintained only for the above purpose, and no department/division shall maintain a petty cash fund without establishing such fund with the Finance Department. A petty cash fund is not intended to circumvent the City's purchasing procedures.

### A. Maintenance of Petty Cash Funds

1. Each petty cash fund must have a designated fund custodian who is responsible for maintaining the security, accountability and replenishment of the petty cash fund. The fund custodian will make all disbursements. In the absence of the fund custodian, the Department/Division Head, or their designee, should make disbursements from the fund. The petty cash fund should be counted and reconciled by two responsible employees before and after access by any employee other than the fund custodian.

2. Each petty cash fund should be established with a fixed amount and maintained on an imprest basis, i.e., the amount of the fund remains constant. Cash plus petty cash vouchers should always equal the authorized amount of the fund.

3. The petty cash fund should be maintained in a locked cash box and stored in a secure location. Only the fund custodian should have access to the fund.

4. The petty cash fund is to be reconciled and replenished on a regular basis by the fund custodian.

5. Petty cash funds must not be commingled with any other funds and are not to be used for any purposes other than those established by this policy

statement.

6. At all times the total of the petty cash vouchers and cash in the fund should equal the amount reflected in the general ledger.

## B. Cash Advance and Reimbursement Procedures

1. When a cash advance is requested, the Cash Advance box should be checked on the "Petty Cash Voucher" (**Exhibit A**) and the "Cash Advance" portion of voucher should be completed. The person receiving the cash must sign the "Received By" line. The fund custodian will then sign the voucher as cash is actually disbursed from the fund. The custodian will retain the Petty Cash Voucher in the cash box.

2. To complete the transaction, the recipient of the advance will return receipt(s) documenting the purchase and complete the "Reimbursement / Settlement of Cash Advance" portion of the voucher. Upon completion, the recipient and the fund custodian will sign the bottom portion of the voucher.

3. A cash advance is not to be held by an employee longer than one business day. Receipts and unused funds must be returned and reconciled to open vouchers within one business day. Only one open petty cash voucher per employee is allowed at any time.

4. Cash advances for purchases are not to exceed $50.00. However, if the purchase price exceeds $50.00 and the price difference was unforeseen by the employee, the voucher can be processed through the petty cash fund with approval by the Finance Director. Splitting of purchases to avoid exceeding the $50.00 limit is considered a violation of this policy.

5. If no cash advance is requested, only the Reimbursement / Settlement of Cash Advance portion of the voucher will be completed including proper approval. Upon presentation of the approved Petty Cash Voucher and disbursement of funds, the recipient and the fund custodian will sign the voucher. The transaction is complete.

6. In all instances, proper documentation of the purchase is required before funds will be disbursed from petty cash.

## C. Replenishment Procedures

A. The fund custodian is responsible for replenishment of the petty cash fund. The replenishment should be done at least once a month by processing an FPO. The payment authorization requesting the replenishment should allow sufficient lead-time to prevent the remaining petty cash funds from being depleted prior to receipt of the replenishment.

B. The "Petty Cash Reimbursement Request and Reconciliation" (**Exhibit B**) should be completed and submitted to the Finance Department as support for the replenishment request. It must be completed, signed by the fund custodian and approved by the Department/Division Head, or designee. Supporting documentation for each disbursement should be attached. Any missing documentation must be individually approved by the Department/Division Head, or their designee.

C. All payments to replenish the petty cash fund are to be made payable to Petty Cash - (appropriate department). The Finance Department will cash all petty cash checks and distribute the funds. Upon receipt of the replenishment funds, the fund custodian will sign the "Petty Cash Replenishments" log (**Exhibit C**) acknowledging receipt of the funds. The representative of the Finance Department delivering the replenishment will also sign the log. The replenishment should be picked up by the fund custodian and counted before signing the log. The fund custodian is responsible for the replenishment amount once he/she has acknowledged the receipt.

**D. Supporting Documentation for Petty Cash Disbursements**

1. An original detailed cash register receipt provided that the date is current enough to support the purchase.

2. An original detailed cash ticket from the place of purchase provided that the date is current, items purchased are listed, and the vendor and the employee sign the ticket.

3. No reimbursements will be made without proof of purchase.

4. The documentation must be attached to the completed Petty Cash Voucher.

**E. Petty Cash Restrictions**

1. The petty cash funds are property of the City of Allen and should remain on City premises at all times.

2. Loans to ANY employee are strictly prohibited.

3. IOU's for ANY employee's personal use are strictly prohibited.

4. Cashing personal checks for ANY employee are strictly prohibited.

5. Petty cash will not be used to reimburse credit card purchases except for day travel expenses noted in E(6) and E(7) that have detailed original receipts as documentation.

6. Mileage, travel or training expenses, including use of personal vehicle, parking and entertainment, relating to overnight travel are not to be reimbursed or advanced from petty cash. Day travel expenses, including professional meetings, may be reimbursed through petty cash for amounts not to exceed $25.00. Advances will not be allowed from petty cash for day travel expenses. If the day travel expenses exceed $25.00, a Business Expense form must be submitted for reimbursement (see Travel Policy.)

7. Reimbursement for meals associated with professional meetings, local training or conferences, not payable to a professional organization, is limited to the following daily limits: breakfast- $10, lunch- $12, dinner - $25.

8. Only one open petty cash voucher per employee is allowed at any one time.

9. No purchases in excess of $50.00 will be reimbursed.

10. Petty cash is not to be used to avoid proper purchasing procedures.

**F. Standard Petty Cash Voucher and Proper Completion (Example Attached)**

1. The Petty Cash Voucher consists of two parts. The top portion (Cash Advance) and the bottom portion (Reimbursement / Settlement of Cash Advance) are to be completed if a cash advance is received by the employee. If there is no cash advance involved, then only the bottom portion must be completed.

2. All petty cash vouchers must be completed in ink or typewritten.

3. All signature spaces must be completed.

4. The date of the petty cash disbursement must be completed.

5. The budget account number to be charged for each petty cash purchase must be properly completed and verified that funds are available.

6. The Department/Division Head, or designated employee with signature authority, must sign on the line approving the transaction.

7. The fund custodian must sign on the “Disbursed By” line for a cash advance and upon settlement of the advance. If there is no cash advance, only the Reimbursement section requires a signature.

8. The employee receiving a cash advance must sign the “Received By” line for cash received and upon settlement of the advance. If there is no cash advance, only the Reimbursement section requires a signature.

## G. State Sales Tax Exemption

1. The City of Allen is exempt from state sales tax.

2. Each fund custodian will provide a copy of the City's "Texas Sales and Use Tax Exemption Certificate" (**Exhibit D**) to be used when making purchases on behalf of the City. Each employee should make every reasonable effort to avoid paying sales tax on City purchases.

3. There are some instances when the payment of sales tax cannot be avoided and, in these circumstances, sales tax may be reimbursed with the approval of the Department/Division Head or the Finance Department.

## H. Review of Petty Cash Fund Usage

1. The finance department will periodically review petty cash to determine the adequacy of the fund. If there is consistently little or no activity, a fund may be reduced in amount or eliminated. If there are multiple replenishments within a month, a fund may be increased in amount.

2. This periodic review will evaluate the use of each fund and any apparent violations of the City's purchasing procedures. Frequent purchases from the same vendor may indicate that the $50.00 limit on petty cash disbursements is being circumvented OR that the Department/Division should establish a Blanket Purchase Order with the vendor.

3. Improper use or misuse of a petty cash fund may result in its elimination and / or other action as indicated by the circumstances.

## I. Petty Cash Fund Audits

At any time without notice, the Finance Department may audit the petty cash funds. The audit should find the petty cash vouchers plus cash equal the general ledger petty cash balance established for each department.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: PROCUREMENT MANUAL** | **NUMBER: FIN-10** |
| **EFFECTIVE DATE: MAY 2021** | **ORDINANCE 3552-02-18** |
| **AMENDS/SUPERSEDES: MARCH 2018, APRIL 1988, MAY 2001, FEB 2006, SEPT 2007, MAY 2011, NOV 2014, JUNE 2015, AUGUST 2017** | **APPROVED:**<br>_____<br>**ERIC ELLWANGER, CITY MANAGER** |

## PROCUREMENT POLICY

The City Manager has designated the Purchasing Division as being the central authority responsible for the procurement of merchandise and services required to operate and maintain the City. The Purchasing Division is responsible for procurement of these items at the best value, optimum delivery, and total overall quality to meet the requirements of the requisitioning departments. The Purchasing Division must ensure that these responsibilities are accomplished in compliance with Texas Local Government Code, including Chapters 252 and 271, Purchasing and Contracting Authority of Municipalities, other relevant federal, state and local statutes, and City of Allen policies, any and all of which may be reviewed and updated from time to time, and all of which take precedence over this Manual to the extent that they may conflict.

This is accomplished primarily through competitive bids/proposals with the City's best interests always paramount. The City of Allen embodies best practices, promotes transparency, fairness and competitiveness in state and local government.

**This policy is provided to protect employees and the use of public funds.** This Manual has been prepared for the use of City personnel and other interested parties to serve as policy for all procurement related activities. It is the responsibility of each employee involved in the procurement process to understand the policies, the meaning and intent. Continual training will be provided to employees to ensure employees become proficient in both policy and procedures. If there is a question or concern relative to either the policies or procedures, or the ability of the employee to respond effectively to the requirements, then it is the responsibility of the employee to bring such matters to the attention of the Purchasing Manager immediately. Individuals making purchases in a manner that does not adhere to the City Purchasing Policy, enters into a private transaction with the vendor, assumes responsibility for payment and may be subject to disciplinary action.

## POLICY STATEMENT

Purchasing is a function of all Departments. Department Directors or Assistant Directors are responsible for ensuring that departmental purchases follow the approved budget and the city's purchasing policy. Purchasing procedures are guided by several established policies. These policies are:

- All purchasing shall adhere to sound purchasing policies to ensure that Allen taxpayers receive the best value for city purchases.
- **Regardless of the expenditure, it is the policy of the City of Allen to garner competition that produces the highest quality goods and services at the lowest possible price whether the item or service is subject to bid or not.** The Purchasing Manager is charged with establishing procedures and controls in the purchasing process to comply with all applicable laws and regulations.
- It is the policy of the City to allow the City Council to make final award on any expenditure of $50,000 or greater in accordance with Texas Statutes.
- All purchasing shall be in accordance with the laws of the State of Texas including Chapters 252 and 271 of the Texas Local Government Code, and City of Allen City Charter. http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.252.htm http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.271.htm
- Purchasing activities will be managed with proper controls, and all requisitions will be processed in a timely manner to ensure efficient practices.
- When required or preferred, a competitive bidding process will be utilized to obtain purchases at the lowest possible cost, and to provide for an open and fair process for all interested vendors.
- No officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, nor shall be financially interested, directly or indirectly, in the sale to the City of any land, or rights or interest in any land, materials, supplies or service except on behalf of the City as an officer or employee. Any knowing violation of this section shall constitute malfeasance in office, and any officer or employee of the City found guilty thereof shall be subject to removal from such office or position. Any violation of this section shall render the contract voidable at the discretion of the City Council. (City of Allen Charter, Section 10.05)
- Legislation for Economic Development Corporations (the Development Corporation Act) does not contain a provision that subjects Economic Development Corporations to municipal procurement requirements. Neither the Texas Attorney General nor the Texas courts have directly addressed this question. (See page 13)
- City Ordinance No. 1869-09-00 establishes the Powers and Authority of the City Manager to make purchases, execute contracts and approve change orders as provided by City Council (Attachment "A").

## BIDDING PARAMETERS

***Purchases less than $3000***

Quotes are recommended but not required. A purchase order will be processed following workflow approvals. The Procurement Card is the preferred method of payment for purchases up to $3,000.

***Purchases of $3000 and less than $50,000***

Requires three (3) informal, written quotes, completed by the department or Purchasing and should be electronically attached to the requisition. At least two (2) of the contacts solicited for quotations must be from vendors on the Texas Department of Commerce Certified Listings for Disadvantaged Business Enterprises (DBE's), aka Historically Underutilized Businesses (HUBS). If the list fails to identify a disadvantaged business in the county in which the city is situated, the city is exempt from this section.

***Purchases of $50,000 and greater*** *are governed by competitive purchasing requirements of state law*

State law requires competitive purchasing for expenditures or procurements by the City of $50,000 or more. The City may use either Request for Bid or Request for Proposals for expenditures or procurements by the City of $50,000 or more. Notice to bidders must be publicly advertised in the newspaper for two (2) consecutive weeks, with the first date of publication being at least fourteen (14) days prior to the opening of the bids or proposals.

***Purchases of $100,000 and greater require approval and award by City Council***

City Council has approval authority for all Purchases and/or Contracts with either a one-time or anticipated annual expenditure of $100,000 and above. In addition, City Council has approval authority for all Change Orders greater than 25% of the original Contract.

City Council has delegated authority to the City Manager for approval authority for all Purchases and/or Contracts with either a one-time or anticipated annual expenditures less than $100,000.

City Manager has approval authority for items greater than $100,000 if they meet the parameters outlined in this Administrative Directive. Items meeting this parameter include:

- TML
- Utilities
- Gasoline
- Vehicle Replacements
- Software Maintenance

**Interlocal and Cooperative Purchasing Agreements** – As provided in Chapter 791, Texas Government Code, and Chapter 271 of the Texas Local Government Code, the City may enter into an agreement with another public entity in the United States for the purpose of pooling resources to obtain favorable pricing for goods and services. A purchase through an approved Interlocal and/or a Cooperative Purchasing Agreement satisfies the requirement for competitive bidding. City Manager has delegated authority to execute purchases and or contracts utilizing Interlocal and Cooperative Purchasing Agreements **for an amount less than $100,000**.

**Exceptions to competitive purchasing requirements:** Exemptions to the competitive purchasing requirements are outlined in the Texas Local Government Code Section 252.022. Any questions regarding these exceptions or their application should be directed to Purchasing.

**Electronic Bidding**: Electronic bidding is a solution to automate procurement quotes and bids, streamline vendor communications, increase competition (to all registered vendors including Disadvantaged Business Enterprises and Historically Underutilized Businesses) and eliminate redundant administrative costs.

**Historically Underutilized Vendors**

The City of Allen, in making an expenditure of more than $3,000 but less than $50,000, is required by state law to contact at least two historically underutilized businesses on a rotating basis, based on information provided by the General Services Commission. If the list fails to identify a historically underutilized business in the county in which the municipality is situated, the municipality is exempt from this requirement.
httpwww.cpa.state.tx.usprocurementcmblcmblhub.html

Please contact the Purchasing Division for a listing of historically underutilized businesses within the particular commodity for which you may be soliciting pricing.

## PURCHASING CODE OF ETHICS

This Policy is designed to assist all employees in following all laws and regulations related to purchasing and to treat vendors in a fair manner, while avoiding the perception of immoral, illegal or unethical behavior. It shall also serve as a reminder that behavior which is considered acceptable in the private sector may be inappropriate for the public sector. Acting in a manner true to these values is essential to preserve the public's trust.

### I. *Employee Responsibility to the City of Allen*

- Follow the policies and lawful instructions of the City.
- Understand the purchasing authority granted to the employee by the City.
- Avoid activities that would compromise or give the perception of compromising the best interest of the City.
- Reduce the potential for any charges of preferential treatment by actively promoting the concept of competition.

### *Manager Responsibility to the City of Allen*

- Be proactive in monitoring subordinates' purchasing activities.
- Require employees to enter requisitions prior to making purchases so that budgets may be monitored and purchasing policy and laws are followed.
- Review all attached documentation prior to workflow approval.
- Keep up to date on changes to Purchasing policy so other employees may be mentored.

### II. *Conflict of Interest*

- Conflicts of interest arise when personal involvement and/or gain in a decision could lead to prejudice, or the appearance of prejudice in that decision.
- All employees shall comply with the conflicts of interest provisions found in the Personnel Policies and Procedures, "Standards of Conduct."

### III. *Employee Relations with Businesses or People Doing Business with the City*

- No city employee shall accept any gift that might reasonably tend to influence the employee in the discharge of his or her official duties, or grant any improper favor, service or thing of value. Neither shall any employee use his or her official position to secure special privileges or exemptions for themselves or others. [Refer to Personnel Policies and Procedures, "Standards of Conduct."]
- Bidding and contracting can bring great discredit upon the City if it is not conducted in a legal and appropriate manner. Any private gain by employees of the City or any gain beyond reasonable compensation for the contractor is prohibited.

IV. ***Relations with Those to Whom Services are rendered***

- No gift, reward, favor or any other considerations shall be accepted or retained for services rendered by the employee. The employee shall notify his or her supervisor and the Purchasing Manager of such offer and the employee's refusal.
- Gifts, rewards, favors or any other considerations which are given to an employee under circumstances which do not permit the employee's immediate refusal shall be reported and given to the employee's department head immediately. The department head shall return the gift with a proper letter expressing gratitude and explanation to the person giving the gift. A copy of the letter will be sent to the City Manager and the Purchasing Manager.
- When a gift, reward, favor or any other consideration cannot be returned it will be used for the benefit of all employees in the department involved or otherwise disposed of so that no individual gains from the gift. The manner of disposal of the gift shall be reported in writing to the City Manager. Small items such as cakes, cookies and candy may be accepted if used for the entire department. Large gifts or donations of gratitude to benefit the employees of a department are not permitted. Any such individual or group wishing to express their gratitude may contribute to a charitable organization in the name of that department.
- Promote positive supplier relationship through courtesy and impartiality in all phases of the purchasing cycle.
- Any service rendered by an employee is considered part of the employee's job and since the employee is paid, no special gratitude is necessary.
- Know and obey the spirit and letter of the laws governing the purchasing function and remain alert to the legal ramifications of purchasing decisions.

## PURCHASING PROCEDURE VIOLATIONS

**This policy is provided to protect employees and the use of public funds.** Employees will be held accountable for the proper use and administration of the Purchasing Process. The Department Head or Approving Manager is responsible for ensuring that employees comply with the policies outlined in this manual. Purchasing will retrain the employee with notification to the department of the first error on an informal basis, continued failure to correct procedural errors will result in continual training of the employee and manager. Violations of Local Government Code will include disciplinary action up to and including termination.

### LOCAL GOVERNMENT CODE 252.062 – CRIMINAL PENALTIES

A municipal officer or employee commits an offense if the officer or employee intentionally or knowingly makes or authorizes separate, sequential, or component purchases to avoid the competitive bidding requirements of Section 252.021. An offense under this subsection is a Class B misdemeanor. http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.252.htm

*"Component purchases"* means purchases of the component parts of an item that in normal purchasing practices would be purchased in one purchase.

*"Separate purchases"* means purchases, made separately, of items that in normal purchasing practices would be purchased in one purchase.

*"Sequential purchases"* means purchases, made over a period, of items that in normal purchasing practices would be purchased in one purchase.

### PURCHASING PROCEDURES

All purchases require pre-authorization to ensure 1) the appropriate budget is available, 2) City management and/or City Council approves of the purchase, 3) City policy is followed and 4) State laws are enforced. The purchasing process is completed only after the items are satisfactorily received and payment is complete.

All employees will be provided training to utilize the software for processing and to stay current on the requirements of this purchasing policy. When weaknesses are shown, employees will be required to attend additional training.

### Purchase Requests and Workflow Approvals

By entering a requisition, employees are establishing the need, product or scope, date, location and obtaining pre-approval by requesting funds to make a purchase and management is reviewing and giving approval prior to the purchase. As soon as the requisition is entered, budgeted funds are set aside (pre-encumbered) in the general ledger account(s) to prevent overspending of budgets. Supporting documentation must be scanned and electronically attached to the requisition for management review.

After the requisition is entered, completed and released, it goes through a workflow approval process. The approval process is based on workflow established for each Department. Each approver checks for items within their responsibility. A requisition may be rejected and returned if the information is incorrect or incomplete. A requisition without the attached backup documentation would be considered incomplete. The requisition travels through each workflow level and should be monitored by the end user until final conversion to a PO. If the level is met it must be approved before advancing to the next level. Management should not approve the requisition unless the scanned documentation is attached and reviewed.

All requisitions will be converted to a PO by the Purchasing Division. The order and number of steps in the workflow approval process is subject to change as needed and is addressed in employee training sessions.

The official budget encumbrance is created once the Purchase Order is posted and printed. Receipting cannot occur unless the Purchase order is posted.

**Receiving and Inspection**

The purchasing function is not accomplished by simply placing an order with a supplier. It is the duty of the individual department to inspect all items or services received. Sometimes satisfactory delivery requires expediting, cancellation or changes. When ordered items are received, the department that placed the order is responsible for inspecting the shipment and receipting the item in the system. This should be done upon receipt to take advantage of early payment discounts and allow the payment processing time it needs to avoid interest penalties. Inspection should include checking for damaged or defective goods, verification of correct quantities, product, delivery site and verification of correct P.O. number on the packing slip. If the items delivered are not acceptable, notify the vendor at once. Departments are required to take immediate action to return product or obtain replacements by the vendor.

**Adjustments/Change Orders**

The purchase order is a legal contract, locks in price and authorizes the vendor to ship the materials, as specified. Since a purchase order is a legal document, it cannot be amended unless a change order is processed. To address differences (quantity, quality, damages, additions) a change order must be processed. The workflow approval process for PO's will also apply to Change Orders. After required workflow approvals, a Change Order P.O. will be issued for all adjustments. Departments are responsible for monitoring encumbrances and cancelling their own PO's.

## PAYMENT OF INVOICES

### Invoices with PO numbers

The P.O. instructs vendors to submit all Invoices to the Finance Department. An invoice contains the same information as the purchase order and is the means for settlement of financial obligations incurred. The invoice is not required to receipt items received and employees should not have vendors send invoices to the employee's attention.

If the PO, receipt and invoice (three-way match) agree, the invoice will be processed by the Finance department for payment. After invoicing, the encumbrance is liquidated and creates an actual expenditure.

If there is a discrepancy between the original P.O. and the receiving paperwork that results in the P.O. and invoice not matching, the department will be notified to research the discrepancy and determine if a change order is needed.

### Invoices without PO numbers

When a purchase is made without a PO, the invoice will be processed using a P-card or the "Request for Check" (RFC) program. This program allows users to request invoice payments that do not require a purchase order. The RFC program checks for available budget but does not post encumbrances. Workflow matches the requisition/PO process and once released and converted to an Accounts Payable Invoice, the Request for Check is reviewed and processed by Accounts Payable staff for payment.

The RFC program should be utilized 1) for invoices under $3,000, and 2) at year end when the Finance Department decides which fiscal year the expenditure is recorded in. Common uses for the RFC program are employee expense reimbursements, dues and subscriptions, etc.

### Prompt Payment

Texas Government Code Chapter 2251 stipulates that all local governments shall pay for goods and services within thirty (30) days of the delivery or invoice date or interest is automatically imposed.

To comply with Chapter 2251 and avoid interest penalties, change orders and receipting must be completed and the vendor must send all invoices directly to the Finance Department.

## TYPES OF PURCHASES

### Purchase Order

A Purchase Order is a written contract to a vendor formalizing the terms and conditions, description and quantity of product, delivery schedule, terms of payment and transportation.

### Blanket Purchase Order

Blanket Purchase Order (BPO) allows departments to utilize the same PO number throughout the year for the purchase of contracted goods and services. Funds are encumbered when the BPO is issued.

### Contracted Purchases

Annual contracts are awarded to vendors for the purchase of supplies, equipment and services routinely required by one or more departments. Contracts protect pricing for a one-year period allowing departments a planned method to purchase. Contracted purchases are typically the result of a competitive process. A contract award for services can be made to multiple suppliers based on the lowest total price or best value for all items within a specific group, classification, commodity code or category in its best interest. This method allows a logical grouping of bid items to a supplier for contract management purposes. Examples of contracted services by commodity or classification are: Custodial, Printing, Vehicle Maintenance, Electrical, Plumbing, Cell Phone Services, etc.

### Lease Agreement

Contracted lease purchases and all capital leases shall be coordinated with the Finance Department because this type of purchase and financing is unique and accounted for differently.

### Emergency Purchases

Emergency purchases are those needed to avoid interruption in City Services or to protect public health and safety. Purchases made in emergency situations are generally more costly than routine purchases, therefore, must be kept to a minimum. Poor planning, overlooked requirements, or negligence are not true “emergencies”.

Emergency purchases must meet one of the qualifications for exempt purchases in Section 252.022 of the Texas Local Government Code. The three (3) true emergency exemptions, as listed in the above statute, are listed below:

1) A purchase made because of a public calamity and the prompt purchase of items is required to provide for the needs of the public or to preserve the property of the City.
2) The item is necessary to preserve or protect the public health or safety of the residents of the City.
3) The item is made necessary by unforeseen damage to public machinery, equipment or other property.

When emergencies arise and there are no applicable maintenance agreements or a P.O. in place, please follow the procedures set forth below under "Requisitioning of Emergency Purchases."

**Requisitioning of Emergency Purchases**

If time permits, the purchase order is completed according to procedure. Otherwise, the purchase is completed by telephone, and the purchase order is completed, after the fact, and delivered to the vendor.

For other than normal working hours, when purchasing support is unavailable, the responsible official of the department takes whatever steps are necessary to procure needed supplies, services or equipment to relieve the emergency. If possible, only those goods or services needed to remedy the emergency are procured. The Department Head of the department must certify, in writing and attach backup documents electronically the next business day, or as soon thereafter as possible, that the purchase involved was necessary because of one of the three reasons listed as emergency exemption in Texas Local Government Code.

If an Emergency Purchase exceeds $50,000 and is not covered by a contract, the City Manager will review and submit the proper documentation to the City Council for ratification.

**Sole Source Purchases (http://www.allenpridewire.org/DocumentCenter/View/454)**

These purchases are handled the same as other purchases except a "Sole Source Justification" form must be signed by the Department and Purchasing and electronically attached to the requisition.

The following are reasons why a purchase might be practical from only one vendor.

1. There is no competitive product. The good/service is a one-of-a-kind, a patented product or a copyrighted publication available from only one source, or a unique item such as a work of art.
2. The product is only available from a regulated or natural monopoly. For example: utilities, gravel from the only pit in the area, etc.
3. The product is a component of an existing system that is only available from one supplier. The replacement of a component or a repair part may be only available from the original supplier.

Refer to the **Administrative Directive** for incidental and small dollar purchases

**The Procurement Card (P-Card) Program**

The P-card is a method that allows employees to make small dollar approved City purchases quickly and efficiently by paying vendors immediately with a credit card. The Procurement Card is the preferred method of payment for purchases up to $3,000. A purchase should not be made with a card unless it is the most productive

purchasing method. All employees issued a P-Card are expected to understand all City policies related to using City funds. At no time does the use of the P-card override the City's procurement policy, which is guided by state procurement law. The City bears no legal liability from inappropriate use. (See P-Card Section)

**Procurement Guidelines for the Allen Economic Development Corporation**

The City of Allen provides certain purchasing and financing services to the Allen Economic Development Corporation (AEDC). The AEDC is a Texas non-profit corporation formed by the City Council pursuant to the Texas Development Corporation Act, Chapters 501-505 of the Texas Government Code.

1. The AEDC is not subject to the same state laws governing procurement and purchasing that apply to the City of Allen, including but not limited to Chapter 252 Texas Local Government Code.
2. The AEDC is not required to conduct competitive bidding or solicit competitive proposals for expenditure of AEDC funds.
3. The AEDC is not required to contact historically underutilized business before making an expenditure of AEDC funds.
4. The AEDC is not subject to the same state law requirements that apply to the City of Allen regarding the sale, lease or purchase of real property and improvements.
5. The AEDC may expend funds for the purchase and service of alcoholic beverages in connection with marketing and business development activities undertaken by the AEDC.
6. The AEDC, Executive Director is authorized to make payments relating to AEDC grants and incentives in accordance with the terms and conditions agreements approved by the AEDC Board of Directors.
7. The AEDC, Executive Director is authorized to expend AEDC funds for contracts for goods and services, if provided in the AEDC budget without further action by the AEDC Board of Directors.

## COMPETITIVE BID PROCESS

### GUIDELINES FOR PURCHASES OF $3,000 AND LESS THAN $50,000

**Request for Quote**

Requires three (3) informal, written quotes, completed by the department or Purchasing and should be electronically attached to the requisition. At least two (2) of the contacts solicited for quotations must be from vendors on the Texas Department of Commerce Certified Listings for Disadvantaged Business Enterprises (DBE's), aka Historically Underutilized Businesses (HUBS). If the list fails to identify a disadvantaged business in the county in which the city is situated, the city is exempt from this section. http://www.window.state.tx.us/procurement/cmbl/cn

Price quotations should be solicited from an adequate number of vendors to ensure competition. Procedures for obtaining price quotations are not established by state law or structured to the needs of the City of Allen. To protect the integrity of the process, all solicitations of quotes shall comply with the following.

A. Vendors should be rotated to ensure competition.
B. Purchasing should be contacted if additional vendors for a product or service are needed.
C. Purchasing may utilize e-bidding for vendor notification and competition.
D. Quotes are confidential until after award.
E. Quotes should be electronically attached to requisition
F. The user department shall never place orders unless a purchase order has been obtained through the procedures established in the Purchasing Manual
G. Contact Purchasing staff with any concerns or questions you may have.

### GUIDELINES FOR PURCHASES $50,000 AND OVER

**Request for Bid**

State law requires competitive purchasing for expenditures or procurements by the City of $50,000 or more. The City may use either Request for Bid or Request for Proposals for expenditures or procurements by the City of $50,000 or more. Notice to bidders must be publicly advertised in the newspaper for two (2) consecutive weeks, with the first date of publication being at least fourteen (14) days prior to the opening of the bids or proposals. Purchases of $50,000 and greater require approval and award by City Council.

Local Government Code Chapter 252.022 Competitive Requirements for Purchases defines general exemptions:

http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.252.htm

Prior to development of specifications, the initiating department should schedule a meeting with the appropriate Purchasing personnel to brainstorm the needs and wants of the products or services needed.

A. Establish and verify the funding source (Initiating Department)
B. Create a bid schedule (Purchasing / Initiating Department)
C. Specification Development (Purchasing / Initiating Department)
D. Bid Packet Development (Purchasing)
E. Release of Bid (Purchasing)
F. Advertisement in local newspaper for two consecutive weeks
G. Pre-bid Conference (Purchasing / Initiating Department)
H. Opening of Bids (Purchasing / Initiating Department)
I. Evaluation of Responses (Purchasing / Initiating Department)
J. Verify Insurance and Bonding Requirements (Purchasing/Initiating Department)

- Payment Bonds are required for Public Works & Construction Projects over $50,000 in the amount of the contract
- Performance Bonds are required for Public Works & Construction Projects over $100,000 in the amount of the contract

J. Award Recommendation

Awards may be made to the bidder providing the best value to the City of Allen. In determining to whom to award a contract, the City may consider the following:

- The purchase price;
- The reputation of the vendor and of the vendor's goods or services;
- The extent to which the goods or services meet the City's needs;
- The vendor's past relationship with the City;
- The impact on the ability of the City to comply with laws and rules relating to historically underutilized businesses; The total long-term cost to the City to acquire the vendor's goods or services; and
- Any other relevant factor specifically listed in the request for bids or proposals.

K. Contract Development (Purchasing)

- Purchasing is responsible for all contract development activities related to any item that comes through the Purchasing Division, with exception of construction projects.

L. Follow-up on Delivery (Initiating Department)

M. Renewal (Purchasing)

N. Close-out (Purchasing/Initiating Department)

**Purchases of $50,000 and greater require advertisement and a competitive procurement process.**

**Request for Proposal**

A procurement method for obtaining goods, services and construction for public use in which discussion and negotiations may be conducted with responsible vendors who submit responsive proposals. All Requests for Proposals are acknowledged by public announcement of vendor name only, to avoid disclosure of the contents of proposals to competing proposers until after the award of the contract. Contracts awarded by proposals are awarded by the City Council.

The process for a Request for Proposal is the same process as the Request for Bid with the following exceptions:

A. No formal bid opening
B. No bid tabulation upon opening
C. Opportunity for interview with selected vendors
D. Provides for the negotiation of all terms, including price
E. Award based upon established criteria
F. Price is not a primary evaluation factor

**Acceptance of Bids**

City Manager, Department Directors, Assistant Directors and Purchasing have the discretion to select which vendor/bid acceptance to buy from on purchases up to $100,000. On orders $100,000 and over, the City Council will make the final award.

## BID SPECIFICATIONS

### Definition

A specification is a concise description of goods or services the City seeks to buy, and the requirements the vendor must meet to be considered for the award. A specification may include requirements for testing, inspection or preparing an item for delivery, or preparing or installing it for use. ***The specification is the total description of the purchase.***

### Purpose

The purpose of any specification is to provide personnel with clear guides to purchasing, and to provide vendors with firm criteria of minimum product or service acceptability. A good specification has four characteristics:

1. *It sets a minimum acceptability of the goods or services*. The term "minimum acceptability" is key since the vendor must know the minimum standard to determine what to provide. A standard too high means tax dollars will be wasted. A standard too low means the goods or services will not meet the expectations of the user.

2. *It should promote competitive bidding*. The maximum number of responsible vendors should be able to bid the specification. Restrictive specifications decrease competition.

3. *It should contain provisions for reasonable tests and inspections for acceptability of the good or service*. The methods and timing of testing and inspection must be indicated in the specification. Tests should refer to nationally recognized practices and standards, whenever possible.

4. *It should provide for an equitable award to the lowest responsible bidder*. The buyer obtains goods or services that will perform to expectations, and the vendor is able to provide the goods or services at an agreeable price.

## CONTESTED BIDS/PROTESTS

If a department is made aware of, or is contacted by a vendor regarding a protest relating to advertising of bid notices, deadlines, bid opening and all other related procedures under the Local Government Code, as well as any protests relating to alleged improprieties or ambiguities in the specifications, the department should either contact the Purchasing Manager, or instruct the vendor to contact the Purchasing Division. The Purchasing Manager will attempt to determine the reasons behind the potential protest, and failing to satisfy the vendor, will instruct the vendor to prepare a written protest. The written protest should:

- Include both the name and address of the protester, as well as the vendor they represent, if different.
- Identify the bid number and the item.
- Contain a statement of the grounds for protest and any supporting documentation.
- Protests must be submitted within five (5) days of the bid opening.

A decision and response to the protest will be prepared by the Purchasing Manager, in consultation with the initiating department, within ten (10) days of receipt of the protest. The response to the protest will include information regarding the appeal of the staff determination to the City Manager.

**Staff Recommendations**

Protests relating to staff recommendations for awards of less than $50,000 may be directed to the Office of the City Manager.

## APPEAL OF WRITTEN PROTEST

Appeals of protests of awards for $50,000 and over shall be filed with the City Secretary with a concurrent copy to the City Manager and City Attorney. The appeal filed shall:

a. Include both the name and address of the protester, as well as the vendor they represent, if different.

b. Identify the bid number and the item.

c. Contain a statement of the grounds for protest and any supporting documentation.

d. Appeals must be submitted within ten (10) days prior to the bid award date.

## COOPERATIVE PURCHASING

The action taken when two or more entities combine their requirements to obtain advantages of volume purchases including administrative savings and other benefits. An Interlocal Cooperative Agreement between the parties must be executed by the City Manager. Examples of local cooperative agreements:

- **Buyboard**- https://www.buyboard.com
- **CCGPF Collin** County Governmental Purchasers Forum
  Governmental Entities- Plano, McKinney, Frisco, Richardson, Dallas, Grand Prairie, etc.
- **Choice Partners** http://www.choicepartners.org
- **DIR** Department of Information Resources http://www.dir.state.tx.us
- **GSA General Services Administration** https://www.gsa.gov
- **H-GAC** Houston-Galveston Area Council
  http://www.h-gac.com/home
- **NIPA** National Intergovernmental Purchasing Alliance
  http://www.nationalipa.org/agreements
- **NJPA** National Joint Powers Alliance http://www.njpacoop.org
- **NPP Gov** Non-Profit Purchasing Government Cooperative
  Fire Rescue and Law Enforcement www.nppgov.com
- **PACE** Purchasing Cooperative www.pacecoop.org
- **SmartProcure Partners www.smartprocure.us**
- **TCPN** The Cooperative Purchasing Network http://www.tcpn.org
- **TIPS** The Interlocal Purchasing System http://www.tips-usa.com
- **TXMAS** Texas Multiple Award Schedule
  https://comptroller.texas.gov/purchasing/contracts/txmas/
- **US Communities** http://www.uscommunities.org

## GUIDELINES FOR CONTRACTS

### Contract Execution

The City Manager will execute all contracts based on the authority established by the Council. Contracts that exceed the Manager's limits established by the Council will be sent to the Council for consideration. Department Directors and their designee are authorized to sign contracts less than $20,000 at the discretion of the City Manager. The City Manager may approve contracts for less than $100,000. A contract of $100,000 or more must be approved by the City Council.

Following the bid process and award recommendation, purchasing will create a contract. Final execution by the City of Allen will occur after Council approval if the expenditure is $50,000 or greater. A notice to proceed will be forwarded to the awarded vendor by Purchasing. After Council approval, the department will enter requisitions utilizing the awarded contract. If the competitive sealed bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or the bidder who provides goods or services at the best value. Awarded vendors must be used as awarded.

The written contract represents the legal agreement between the parties. The terms and conditions, prices, and technical performance requirements are contained within the contract. Agreements outside of the contract are generally not enforceable. The award of the service and the execution of the contract is just the start of a long-term relationship. It is a prologue to what may possibly become years of service delivery. This process ensures that industry best practices, processes and procedures are applied. The City of Allen is committed to the integrity of the procurement process. Access to solicitation and awarded contracts is restricted for City of Allen business transactions only.

### Annual Contracts

Annual contracts may be initiated by either Purchasing or initiating departments. (If the initiating department finds themselves repeatedly purchasing the same type of item over a short period of time, they should work with the Purchasing Division to establish an Annual Contract to provide for ease of purchasing and ensure a certain pricing structure.)

Purchasing will notify the department following Council approval. Departments will submit a requisition for a Contract/Blanket PO for the needed items utilizing Contractual Services funding.

Contracts that do not contain a commitment to purchase on the part of the City and simply establish a fixed price or fixed pricing structure with a vendor do not require the funds to be encumbered.

If a contract is of the maintenance or service variety and the exact cost is known, funds should be encumbered by entering a requisition for a Blanket Purchase Order and utilizing Contractual Services funding.

If the award of the contract went through a competitive procedure, departments are required to use contracted vendors.

**Contract Administration**
Contract monitoring is the primary means of safeguarding against vendor performance problems. It is an essential function of the contract administration process to review a vendor's performance. This information assists the Purchasing Division in the review of the vendor, the service or supply being provided and the effectiveness of the contract or bid specifications.

The following procedures have been established for the vendor performance review based upon the type of award. This procedure is only required for contracts or bids processed by the Purchasing Division.

- ***Annual Contracts***
  The initial request from Purchasing will occur after one (1) month. Vendor performance will be monitored periodically throughout the life of the contract. A list of annual contracts may be found on PrideWire and the M-drive.

- ***Renewed or Re-Awarded Vendors***
  If no previous problems exist, this review will be requested annually. If there is a previous history of problems this review will occur monthly until three (3) months of positive reports. At that time the vendor review will occur quarterly.

**VENDOR PERFORMANCE**

***Elements of Monitoring Vendor Performance (Purchasing and Department)***

Contract Relations
- Initial meeting with vendor after bid award
- Continuous monitor – vendor interaction
- Formal and informal vendor feedback

The Contract
- Specific performance standards
- Penalties for nonperformance spelled out

Contract Administration
- Comprehensive list of duties

**Poor Performance**

The Purchasing Division should be notified immediately of any situation regarding poor or inadequate performance, as contracts are often used by multiple departments. Citywide requirements should always be considered.

***Action plan for addressing poor performance***

| | |
|---|---|
| Step 1 | Department attempts to resolve the issue by working directly with the vendor. |
| Step 2 | If not resolved, establish a time for resolution (i.e., five days, two weeks, etc.) and inform Purchasing. |
| Step 3 | Written notice to the vendor restating the nature of the issue and the time allowed for correction. |
| Step 4 | If the issues persist, a formal meeting is held. Minutes of the meeting are taken. The vendor should be reminded of the possible course of action as authorized in the contract. |
| Step 5 | Enforcement requires the Purchasing Manager issue a "Cure Notice" notifying the vendor to cure the issue. Specific dates and a description of any liquidated damages due if the vendor fails. |
| Step 6 | If all attempts to resolve the issue have failed, the Purchasing Manager will need to cancel the contract. Simultaneously, action must be taken to collect a settlement. |

Establishing a cooperative and effective working relationship with the vendor is the key to good contract administration. It needs to be balanced with strong ethical considerations. "Good faith" is used to describe a contractual relationship. Failure of the vendor to cooperate, performance failures, and abuse of power are all examples of "bad faith" on the part of the vendor. Timely resolution of contract problems is also a major goal of effective contract administration.

**Vendor Relations**

If the department experiences problems with a vendor pertaining to delinquent delivery, quality of product or service, invoicing problems, etc., **please notify Purchasing Division as soon as possible**. These problems should be handled professionally, and persistent problems should be documented in writing for future vendor evaluation.

## INSURANCE

Vendors on City property or public right-of-way for the City of Allen shall provide the City a certificate of insurance evidencing the coverage's and coverage provisions identified. Contractors shall provide the City evidence that all subcontractors performing work on the project have the same types and amounts of coverages as required or that the subcontractors are included under the contractor's policy.

All insurance and certificate(s) of insurance shall contain the following provisions: (1) name the City, its officers, agents and employees as additional insured's as to all applicable coverage with the exception of Workers Compensation Insurance; (2) provide for at least thirty (30) days prior written notice to the City for cancellation, non-renewal, or material change of the insurance; (3) provide for a waiver of subrogation against the City for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance.

All insurance companies providing the required insurance shall be authorized to transact business in Texas and rated at least "A" by AM Best or other equivalent rating service.

Vendor shall during the term hereof maintain in full force and affect the required insurance. The City reserves the right to amend or require addition all types depending on the nature of the work.

## PROCUREMENT CARD PROGRAM

### OVERVIEW

The Procurement Card (P-Card) Program is a method that allows employees to make approved City purchases quickly and efficiently by paying vendors immediately with a credit card. A purchase should not be made with a card unless it is the most productive purchasing method. The City promotes progressive, productive work practices and supports "planning ahead" to achieve the best possible results. Poor planning does not constitute an emergency by City policy and state law. The card should not be used as a substitute for the lack of planning. This necessitates establishment of strong internal controls to prevent unauthorized City purchases and to protect employees by defining employee responsibilities in using the P-Card.

All employees issued a P-Card are expected to understand City policies related to using City funds. At no time does the use of the P-card override the City's procurement policy, which is guided by state procurement law. The City bears no legal liability from inappropriate use.

The Finance/Purchasing Department will be responsible for maintaining the web-based P-Card system, provide support to P-Card users, conduct compliance audits, and process the monthly payment to the P-Card company according to established deadlines.

To ensure continued use of the P-Card Program, the following guidelines apply to all employees and departments:

### CARD CONTROLS AND LIMITS

Each card issued will have specific card controls and limits established based on the functional area of responsibility and needs of the individual cardholder/department. Specific limits will be assigned when completing the Cardholder Application and reviewed during training. Controls established per card are:

- Single transaction maximum dollar limit (including shipping and handling) per state procurement law is $3,000
- Monthly transaction dollar limit not to exceed $5,000
- Merchant Category Code (MCC) restrictions

If changes are required to the standard transaction limits, a memo is required with a description of the requested new limits, authorized by the Director and submitted to Purchasing for final approval by the Chief Financial Officer.

**ISSUING THE P-CARD**

Requests for P-Cards are made by completing a P-Card application and submitting it to the Purchasing Division. Approval will be based on purchasing needs as determined by the department and Finance/Purchasing management. Upon receipt of the credit card, the cardholder will be required to sign the Cardholder Agreement form to acknowledge the responsibilities associated with use of the card.

**USING THE P-CARD**

- Card Security: Authorized use of the P-Card is limited to the employee in whose name the card is issued. The cardholder will ensure that the card is kept in a secure location and the account number on the card is protected from misuse. At no time should the P-Card be given to another employee for use.
- Spending Limitations: Each P-Card holder is responsible for understanding their departmental budget, account numbers and the limits set for their individual card.
- Receipts: Original receipts (not copies) must be submitted for each item appearing on the P-Card monthly statement. Receipts need to include the event, date and names of participating employees.
- Using the Internet: Purchases using the P-card should be made on secure websites only. International purchases are not allowed.
- Contract Vendors: The City has existing contracts and price agreements with designated vendors for specific goods and services. The City has a contractual obligation to make all purchases from these vendors whenever price agreements or contracts exist. To maintain these beneficial relationships with contract vendors, P-Card users must continue to order from the contract vendors. Anyone who makes a purchase in a manner which does not follow purchasing procedures enters into a private transaction with the vendor and assumes responsibility for payment.
- Unauthorized purchases with a P-Card
    - Any item committed on a Purchase Order
    - A separate, sequential or component purchase
    - Capital items
- Sales Taxes: All purchases using the P-Card should only be for official City purposes; therefore, purchases are not subject to state or local sales tax. **The City is not exempt from paying hotel/motel taxes**. The City's tax-exempt status number is imprinted on the face of the P-card as a reminder to request non-tax purchases. If sales taxes are paid, the P-card holder is required to ask the vendor to reverse the sales tax charge. If sales taxes cannot be reversed, the employee should provide an explanation.

- Travel Expenses: The City's Travel Policy should be followed for all travel related purchases made using the P-Card. Approved travel authorizations should be obtained prior to using the P-Card and a signed Travel Authorization form along with original receipts must be submitted with the monthly P-Card Accounting Code Detail/Expense Report. Final hotel and airline reservations must show the employee's name; price quotes are not acceptable verification of expenditures
- Conflict of Interest: It is prohibited to use your P-Card at establishments owned by City personnel or elected public officials, due to a conflict of interest.
- Meal Expenses: Meal receipts must show details of items ordered and should include the business purpose of the expense, who attended and show details of the items ordered. The credit card receipt showing only the total charged amount is not acceptable documentation. Alcohol purchases are prohibited for use with the P-Card.
- Receiving Goods and Materials: All merchandise purchased with the P-Card should be sent directly to the employee's City address. Itemized receiving documentation that accompanies the order should be kept as documentation with the original transaction receipt. **Note**: ***A packing slip that does not include price(s) is not sufficient documentation for record retention purposes***.
- Returns/Credits/Disputed Transactions: Employees are encouraged to resolve disputes immediately and directly between the cardholder and the vendor. Documentation of the return (i.e. credit receipt) should be kept for reconciliation purposes of the monthly P-Card Accounting Code Detail/Expense Report. Disputed items should be reported within thirty (30) days of the P-Card statement date so the credit card company can investigate the dispute on the cardholder's behalf and assist in a resolution. The Finance department should be utilized to help solve the discrepancy and assist with the completion of a Transaction Dispute Form if needed.

**EXAMPLES OF ACCEPTABLE PURCHASES**

- Car rentals
- Dues/Subscriptions
- Memberships
- Training Courses and Seminars
- Travel Related purchases (airfare/hotel reservations)/family excluded
- Contractual Services

## EXAMPLES OF UNACCEPTABLE PURCHASES

- Alcoholic beverages (even during city-related travel)
- Capital Items
- Computer Hardware/Software
- Entertainment
- Medical/Insurance Services
- Personnel Services
- Personal Charges of any description

## MONTHLY P-CARD RECONCILIATION

After the monthly billing cycle closes, employees will be notified to reconcile their P-card account promptly for payment. This requires approved budgeted account numbers, a detailed description of the expense, scanned original receipts to match each expenditure and attached to the expenditure record, and submitting it to workflow for management review and approval.

Management will be responsible for auditing and verifying that all P-Card charges are for City related business, City policies have been followed, correct budgeted expense accounts are used, workflow is approved timely and original receipts and reconciled statement are submitted to Finance Department by the required due date.

Directors follow the same procedures as employees but the workflow advances their P-card expenditures to the Chief Financial Officer for final approval.

NOTE: P-card holders can code only their P-card charges. Administrative Assistants are authorized to code all employees in their department that are issued P-cards. Also, employees have specific budget account authority, therefore, should not use their P-card to make purchases for budgets they are not authorized to.

A monthly exception report will be maintained by the Finance Department to monitor discrepancies to determine if additional training is needed or if P-Card privileges should be revoked.

## METHOD OF PAYMENT

The Finance Department is responsible for validating the total monthly amount due and processing the payment. Only one payment is issued per month for all P-Cardholders.

## DOUBLE-BILLING CAUTION

To safeguard against the possibility of double-billing, original receipts are scanned and attached to the electronic expenditure and submitted with a paper printed

reconciled monthly statement.

**CARD CANCELLATION/REPLACEMENT**

Card cancellation may occur if purchasing misuse is detected and/or an employee fails to complete the monthly online reconciliation and submit original receipts and reconciled monthly report in a timely manner as outlined previously. The Finance Department should be notified immediately to deactivate the P-card when an employee is terminated, the card is lost or the employee is no longer eligible to use it.

**LOST OR STOLEN CARDS**

If a cardholder's P-Card is lost or stolen, the cardholder must immediately notify the Customer Service number given at the time of card issuance and the Purchasing Division. The Purchasing Division will work with the employee to resolve issues associated with the lost card and obtaining a replacement.

**CARD MISUSE**

Cardholders are expected to utilize the P-Card for business purposes only. All transactions utilizing the P-Card should be made with good judgment, within the functional responsibilities of the cardholder and according to established City policies. Violations of these requirements may result in revocation of use privileges and/or disciplinary action, up to and including termination of employment. Employees who are found to have inappropriately used or violated the policy and procedures of the P-Card program will be required to reimburse the City of Allen for all costs.

## DISPOSAL OF CITY OWNED SURPLUS PROPERTY

The Purchasing Division is responsible for the final disposition of City-owned, surplus property, ranging from rolling stock (automobiles, trucks, tractors, backhoes, etc.) to antiquated equipment, furniture, or fixtures. Disposal of this surplus property is accomplished by a Public Internet Auction to the highest bidder. This section provides for disposal of property that has been deemed to be no longer useful for City use (surplus) or is found to be confiscated or abandoned and unclaimed property by the Police Department.

### City Owned Surplus Property

Once a department has determined property owned by the City is no longer useful, the property will be turned over to the Purchasing Division for disposal with appropriate fixed asset information. For asset tracking and reporting of obsolete property, a list must be provided to Purchasing to include a product description and the original location of the property. If the property has value, as determined by the Purchasing Division, the property will be relocated to another City Department, sold at auction, or disposed of by any other method permitted under State Law. Departments are required to remove any equipment, city logos or insignia from the vehicle/equipment prior to selling in an auction.

If property has no value, or if the value is less than the cost to process for auction or donation, it will be disposed of by the most convenient method.

Finance must be notified so that tracking of fixed assets can be maintained.

### Abandoned and Confiscated Property

All property (except weapons) that has been deemed not needed in the prosecution of an active case:

1. If owner is unknown, Police Department (PD) holds property for thirty (30) days (per CCP18.17 (a)) or if valued at $500 or more, Police holds for ninety (90) days after publication (per CCP18.17(c)).

2. If owner is known, a certified letter will be sent by the Police Department to the last known address giving owner ninety (90) days to retrieve property (per CCP 18.17 (b)).

    a. If owner acknowledges, item is returned.

    b. If owner does not acknowledge, item is sent to designated Police Department personnel for disposal (if it has value as determined by the PD). Police Department personnel shall prepare an

inventory of items released to Purchasing which will accompany items upon delivery.

c. Designated Police Department personnel secures property.

d. The Purchasing Manager, Directors or designee determine if the property has value. If property has no value, or if the value is less than the cost to process for auction or donation, it will be disposed of by the most convenient method. For asset tracking and reporting of obsolete property, a list must be provided to the Finance Department to include a product description and the original location of the property.

e. No less than twenty-one (21) days prior to the sale of the property, a notice of such sale shall be placed in a newspaper of general circulation in the City.

The Purchasing Manager, or designee, will determine what property is sold or donated. Sales or donations may be made at any time according to the criteria deemed appropriate by the Purchasing Manager.

Weapons, when deemed no longer needed in the prosecution of a case, or property which is considered contraband, shall be disposed of by the Police Department in accordance with State Law.

## PROCUREMENT OF PROFESSIONAL SERVICES

*Texas Government Code Chapter 2254 Professional Services Procurement Act*: this act states that contracts for the procurement of defined professional services may not be awarded on the basis of bids. A government entity may not select professional services, a group or association of providers, or award a contract for the services on the basis of competitive bids submitted for the contract or for the services, but shall make the selection and award on the basis of demonstrated competence and qualifications to perform the services, and for a fair and reasonable price. The professional fees under the contract must be consistent with and not higher than the recommended practices and fees published by the applicable professional associations and do not exceed any maximums provided by law.

**Professional Services** As defined by Texas Government Code Chapter 2254 Professional and Consulting Services Procurement Act , "means services within the scope of the practice, as defined by state law of, accounting, architecture, landscape architect, land surveying, medicine, optometry, professional engineering, real estate appraising, or professional nursing or provided in connection with the professional employment or practice of a person who is licensed or registered as a certified public accountant, licensed architect, land surveyor, physician including a surgeon, optometrist, registered surveyor, professional engineer, a state certified or state licensed real estate appraiser or a registered nurse.

When procuring architectural, engineering or land surveying services, the initiating department shall select the most highly qualified individual or firm capable of performing the service, on the basis of demonstrated competence and qualifications. The department shall then enter into negotiations on a contract at a fair and reasonable price. If the department is unable to negotiate a satisfactory contract with the most highly qualified individual or firm, it shall formally end negotiations with that person or firm, and then proceed to the next most highly qualified and repeat the process. Negotiations are carried on in this sequence until a contract is made.

If any agreement or contract is entered into with one of the above mentioned professionals on the basis of a competitive bid, it is contrary to public policy and is void.

**Request for Qualifications (RFQ)** is the formal procurement method used to solicit and select firms to provide professional services. The selection of the firm is primarily the focus on qualifications of the potential providers. Primary qualifications include experience of key staff, relevant experience of the company and client references. The RFP or RFQ process requires a technical and management approach and often, a fee proposal.

An engineer or architect may be selected after the evaluation of Statements of Qualifications or it may be necessary to interview several of the firm's and further evaluate them based on the interview or a presentation, narrowing the field until one firm is selected for negotiation.
When negotiations are successfully concluded, a recommendation will be made to the City Council that a contract is awarded to the chosen firm. A tabulation showing all the firms submitting Statements of Qualifications and each firm's score, by criterion, will be attached to the recommendation.

A modified process may be utilized when the most highly qualified firm is identified by the basis of a continuing phase (or adjacent project) of a project (public or private), partnership with the private sector or a partnership with another governmental agency. In these situations, where a provider of services is already working on an earlier project and has a superior knowledge of the area, partners, and project that would make the formal process an ineffective use of the City's or other service providers resources to determine the most highly qualified firm.

**SPECIAL CONDITIONS**

1. This policy does not pertain to contracts administered by another agency to which the City is signatory.

2. For contracts of an emergency nature any or all of the above steps may be waived at the discretion of the City Manager or City Council.

3. Additional steps and procedures may be added as determined necessary, i.e. request for Statement of Qualifications prior to Request for Proposal.

**ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE VII, "ADMINISTRATIVE DEPARTMENTS", BY AMENDING SECTION 2-102 "CITY MANAGER" BY AMENDING SUBSECTIONS (d), (f), (h) AND ADDING A NEW SUBSECTION (k); PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:**

**SECTION 1.** The Code of Ordinances of the City of Allen, Collin County, Texas, be and the same is hereby amended by amending Chapter 2, "Administration," by amending Article VII, "Administrative Departments" by amending Section 2-102, "City Manager", to read as follows:

**"ARTICLE VII. ADMINISTRATIVE DEPARTMENTS**

**DIVISION 1. GENERALLY**

**Sec. 2-101. - Establishing and changing divisions within departments; assignment of work.**

(a) There shall be established the following departments reporting to the city manager, in order to carry out the service and administrative functions of the city: police, fire, parks and recreation, library, public works, finance, city manager, personnel, planning and community development.

(b) The city manager is delegated authority to establish, consolidate, divide, or abolish divisions within these departments that he or she determines are necessary to accomplish the Council's Ends Policies and to assign the work of these departments and divisions.

**Sec. 2-102. - City manager.**

(a) The city manager or designee shall have those powers and duties provided in the City Charter and as otherwise provided by the city council or by ordinance.

(b) The purpose of this section is to delegate authority to the city manager or designee to make purchases, execute contracts and approve change orders and contracts for expenditures without further approval of the city council for all budgeted items not exceeding limits set by the city council.

(c) Whenever this Code, another city ordinance or a city council resolution delegates a duty, power, or function to a specific employee who is responsible to the city manager, that duty, power or function may at the discretion of the city manager, as a chief administrative and executive officer of the city, also be performed or exercised by a city employee designated by the city manager to perform or exercise that duty, power or function.

(d) A contract for personal or professional services, if provided in the budget or other available funding source, may be authorized by the city manager by administrative action without further council action.

(e) If an original contract was competitively bid with the provision for one (1) or more renewal options, the city manager may, by administrative action without further city council action, exercise each renewal option and authorize a contract for the specified renewal term.

(f) No expenditure exceeding fifty thousand dollars ($50,000.00) or a greater amount if allowed by state law, may be made without competitive bids except when the expenditure falls within one of the general exemptions provided in V.T.C.A., Local Government Code § 252.022, as amended, provided, however, that in the event of an emergency expenditure, such emergency shall be declared by the city manager and approved or ratified by the city council or may be declared by the city council in its resolution authorizing execution of the contract. (g) The city manager or designee is authorized to approve change orders subject to any restrictions imposed by state law provided, however, there are budgeted funds to cover any increase in costs to the city.

(h) The city manager is granted actual and express authority to make purchases, execute contracts and approve change orders for the city. The city manager has implied authority to do what is proper, usual, and necessary to exercise the authority that has been expressly delegated to the city manager by ordinance, including, but not limited to, approval of a purchasing manual or policy, appointing a purchasing agent or other designee to sign and execute purchase orders, contracts and change orders on behalf of the city manager.

(i) The city manager is authorized to initiate the process for contracts pertaining to public improvements or the maintenance of public property.

(j) The city manager is authorized to execute easements, deeds or other instruments for budgeted items, approved capital projects and facilities agreements.

(k) An expenditure not to exceed $100,00.00, if provided in the budget, or other available funding sources, may be authorized by the city manager by administrative action without further city council action."

**SECTION 2.** All ordinances of the City of Allen, Collin County, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

**SECTION 4.** This ordinance shall take effect immediately from and after its passage, as the law and charter in such cases provide.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE _____ DAY OF MARCH, 2018.**

**APPROVED:**

**Stephen Terrell, MAYOR**

**APPROVED AS TO FORM:**

**Peter G. Smith, CITY ATTORNEY**

**ATTEST:**

**Shelley B. George, TRMC, CITY SECRETARY**

(PGS:1-23-18:95026)

## DEFINITIONS

The basic methods for obtaining supplies, equipment and services are explained in detail in this manual, but for introduction, they are briefly outlined below.

**Best Value**
A procurement method that emphasizes value over price. The best value may not be the lowest cost. Value may include a combination of reputation, quality, long- term cost, services and time.

**Bid Types**
Request for Quote (RFQ) Procurement process for purchases $3,000- $49,999
Request for Bid (RFB) Procurement process for $50,000 and greater
Request for Proposal (RFP) Negotiable Procurement process for $50,000 and greater

**Bill to Addresses**
The P.O. instructs vendors to submit all Invoices to the Finance Department.

**Blanket Purchase Order (BPO)**
Annual P.O. generated for recurring purchases with approved contracted vendors.

**Change Orders**
If changes are made to the original Purchase Order, a change order must be processed. Change orders may address differences in order quantity, quality, damages and or additions. The change order will be processed following workflow approvals. Invoices must match the PO and receipt record.

The original contract price may not be increased (under section 252.048 of the Local Government Code) by more than 25%. The original contract price may not be decreased under this section by more than 25% without the consent of the contractor. All Change Orders must be entered into the system to adjust an existing PO with attached supporting documentation.

**Check Request**
The Request for Check program is utilized by users to request invoice payments that do not require a purchase order or accept P-card payment.

**Commodity Codes**
The State of Texas encourages agencies to make the most efficient use of tax dollars. Organizations use the Commodity Code to monitor and track spending. The bid requirements will apply to commodity expenses. Example, if the City spends $50,000 or more for furniture (previously purchased from several vendors), the City will issue a bid and award to vendors responding to such bid.

**Contracted or Preferred Vendor**
A vendor awarded an agreement to provide goods, perform a service, construct a work or lease real property, for appropriate consideration and terms, generally established through the competitive bid process.

**Contractual Goods or Services**
An agreement between two or more parties to provide goods, perform a service, construct a work or lease real property, for appropriate consideration and terms, generally established through the competitive bid process.

**Cooperative Procurement**
The action taken when two or more entities combine their requirements to obtain advantages of volume purchases or a variety of arrangements whereby two or more public procurement units purchase from the same vendor using a single IFB or RFP.

**Emergency Purchase Order**
Emergencies are defined to remove hazards, to protect property and people, to alleviate financial loss and operation damage and to expedite repairs. Under certain circumstances, purchasing will issue a verbal P.O. number. A confirming requisition, authorized by the department head, must be submitted by the next working day.

**Encumbered Contract**
Encumbered contracts are used when the total value of the contract is known as well as the total amount of each account that is to be charged. These contracts record encumbered amounts against the project ledger and general ledger at the time the contract is entered. Available budget for project ledger strings and general ledger accounts are shown and budget checks are performed for current year and new year entries. Accounts and amounts may cross fiscal years. Generally, encumbered contracts are best used with detail bids associated with specific capital projects.

**Fiscal Year**
October 1 – September 30

**Professional Services**
Services rendered by members of a recognized profession possessing a special skill/education as defined in Local Government Code. A consultant is not a Professional Service.

**Purchase**
The act of obtaining approved goods or services by an authorized City representative.

**Purchase Order (PO)**
Legal contract for purchase of goods and services establishing terms and conditions and incurs a financial obligation. The Purchasing Division will not issue Purchase Orders "after the fact", unless authorized by the City Manager or his designee.

**Purchase Requisition** The purchase requisition is an automated process used to validate budget, obtain management approval to purchase specific products or services and to communicate with purchasing a need for product or services.

**Separate Purchases**
Purchases, made separately of items that in normal purchasing practices would be purchased in one purchase.

**Sequential Purchases**
Inappropriate separation of purchases to avoid the required process of obtaining quotes or bids.

**Ship to Addresses**
City of Allen facility locations for the delivery of ordered items.

**Signature Authority**
Department Directors and their designee have signature authority on any agreement binding the City in instances requiring an expenditure of less than $20,000. All agreements at $20,000 or greater must be signed by the City Manager or his designee. Express authority was granted by Council on December 8, 2015, authorizing the City Manager to delegate signature authority to a Parks and Recreation designee to execute contracts for Professional Services for an amount greater than $20,000 and less than $50,000, as provided and approved in the annual budget. Express authority was granted by Council on February 27, 2018, authorizing the City Manager to execute contracts for an amount less than $100,000, in accordance with the procurement laws of the State of Texas and as approved in the annual budget.

**Sole Source Purchases**
Purchases that can be made from only one vendor as defined by State law.

**Specifications**
Detailed description for an item or service. Specifications must be complete and sufficiently defined to provide the exact product or service required.

**Tax Exemption**
The City is exempt from paying any local or state sales tax, and federal excise tax. The City is not exempt from the Hotel Occupancy Tax.

**Three-Way Match**
Required verification of a match of the purchase order, receipt and invoice. With a three-way match, the system provides a method to match the invoice, purchase order and receipt to ensure all three documents contain the same detailed information.

**Workflow**
The approval process is based on workflow business rules established for each Department. Each workflow level is reviewed and requires approval before advancing to the next level. The workflow approval process may include Information Technology for IT purchases, Budget, Grant, Replacement Fund and Capital expenditure approvals by Finance staff. Workflow for encumbered contracts will be approved by the department and both Finance and Purchasing staff. All requisitions over $15,000 will require approval by the City Manager. Final approval of all requisitions and change orders is completed by the Purchasing Division.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: TRAVEL EXPENSES** | **NUMBER: FIN-11** |
| **EFFECTIVE DATE: JANUARY 11, 2017** | |
| **AMENDS/SUPERSEDES: FIN-11 06/21/2016; 12/01/2003; No. 23** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## TRAVEL EXPENSES

To protect the interest of the City of Allen and ensure like treatment for all, uniform policies and procedures are established to govern expense allowances for those who travel on official City business. This policy applies to all City of Allen employees. Travel expenses incurred by members of boards and commissions must be approved by the Department Head and/or City Manager. The City of Allen will reimburse employees for necessary, appropriate and approved travel-related costs. Employees who travel are expected to exercise good judgment when making travel arrangements and when incurring travel costs. Arrangements for air transportation, hotel accommodations, car rentals and conference registrations are the responsibility of the traveling employee. The City will reimburse employees for expenses personally paid for on behalf of the City as it relates to City business if approved by the Department Head and/or City Manager prior to travel.

### A. Travel Authorization

1. All travel by City employees must be authorized by the appropriate approver (see section A2 and A3 for different types of travel). Before travel departure, the City employee must submit the approved Travel Authorization Form (see Attachment A). The purpose of the trip, destination, times, beginning and end dates for the trip, as well as detailed estimates of travel expenses must be stated on the form. Documentation of the reason for travel should be attached (i.e. conference brochure) along with the mileage calculation for mileage reimbursement (i.e. Google Map).

    A. Employees with Purchasing Cards (P-Cards) will be expected to use the P-Card for as many travel related expenses (i.e. conference registration, airfare, car rental, meals, hotel accommodations, etc.) as possible prior to and during their trip.

2. Employees without access to a P-Card should submit the Travel Authorization Form for approval at least 30 days prior to travel to the

Department Head/Designee or, if the traveler is a Department Head, the City Manager. The signed form shall be submitted to the Finance Department at least ten (10) business days prior to travel to ensure adequate review of the Travel Authorization Form. Failure to submit requests in a timely manner could prevent an employee from receiving the requested funds prior to travel. (See the Accounts Payable policy for processing requirements necessary to receive travel funds by a specific date.)

A. After submission of the approved Travel Authorization Form, the department Administrative Assistant will check budgets, ensure that all expenses are properly coded, and follow the request in MUNIS through the entire workflow process prior to travel.

3. Same day travel within the state requires only approval of the Department Head/Designee.

4. Any employee traveling out of state must have the approval of the Department Head/Designee as well as the approval of the City Manager/Designee.

**B. Travel Funds**

1. In the event that an employee does not have a P-Card, funds for estimated out-of-pocket expenses for overnight travel, including per diem meal allowances, will be granted. Requests for travel funds should be submitted at least thirty (30) days in advance of the travel date for approval by the Department Head/Designee and/or City Manager as indicated in A1b of this policy. Employee requests submitted and approved through workflow in MUNIS, and meeting AP guidelines, will be paid prior to travel. Employee requests not meeting the AP submission deadline will be paid on the next scheduled date. If requests for travel funds are not submitted and approved in MUNIS prior to travel, travelers must submit an Expense Reimbursement Request Form for travel related expenses incurred based on original receipts provided by the traveler.

2. Excluding per diem, all other travel expenses (such as cab fare) should be reconciled within ten (10) business days of return from travel by completing the Reconciliation section of the Travel Authorization Form. This form should include details of the actual travel expenses incurred, approval from the

Department Head/Designee, or City Manager if the traveler is a Department Head, and all original receipts to the department Administrative Assistant for final processing in MUNIS.

A. Upon reconciliation, if travel expenses exceed funds given to the employee in advance of travel (excluding per diem meal allowance), the difference will be reimbursed to the employee at the next available opportunity based on the AP schedule.

B. Likewise, upon reconciliation, any unspent travel funds (excluding per diem meal allowance) given to the traveler will be requested back from the traveler.

3. Employees exceeding their travel funds allowance on a P-Card will immediately be reported to the CFO and City Manager for review and be subject to possible disciplinary action unless prior approval has been granted by the City Manager/Designee.

4. Travel funds will not be issued to any traveler who has not fully reconciled a prior trip, except when this individual must leave for another trip within ten (10) business days following return from the previous trip.

5. Unreconciled travel funds (other than per diem meal allowances) will be deducted from an employee's paycheck if not reconciled within thirty (30) days of return from travel.

6. The Finance Department and/or department Administrative Assistant are authorized to make adjustments to the Travel Authorization and Business Expense (if both, attach Business Expense Form as Attachment B) Forms to correct errors and/or reflect business expense limits. If adjustments are necessary, a copy of the corrected Business Expense Form will be provided to the employee by the next business day.

7. Employees traveling for work as staff support of a group trip (i.e. Program Travel - Senior Center) will be allowed request travel funds in advance of their trip with those expenses charged to the appropriate program account. These expenses are operational expenses overseen by the department and exempt from this policy.

8. Any unauthorized travel will result in disciplinary action, up to and including termination of employment.

**C. Registration and Conference Fees**

1. Registration fees for a meeting or conference at which attendance has been approved should be paid in advance to the vendor with a MUNIS Purchase Order (PO) or P-Card.
2. Supervisors and Administrative Assistants with P-Cards may use their P-Card to pay for other approved travelers attending a conference. Preferably, each employee with a P-Card should utilize the card for their own conference registration and associated fees unless discounts can be acquired for paying with a single payment.

3. Registration fees paid directly by an employee will not be reimbursed until the conference is completed and proof of attendance is provided. The employee will request reimbursement by submitting a Business Expense Request Form with original receipts to the department Administrative Assistant for further processing in MUNIS.

**D. Air Transportation**

1. All City-approved air travel should be selected at the most reasonable and economical rate. First-class and business-class seating is not reimbursable, unless given prior authorization by the City Manager. All travelers should select the least expensive airfare based on rates available during preferred departure times. Luggage costs and any approved seat selection costs should be included in the total cost when selecting the best value fare. (i.e., Airline A has a fare of $150, but there are $100 in luggage and other associated fees; Airline B has a fare of $225 and no fees. Airline B would be the cheapest total fare and should, therefore, be the chosen option).

2. When a ticketed flight is not taken, the employee or booking party is responsible for facilitating a refund or credit from the travel agency or airline. Any credit amounts should be used towards the purchase of air travel for future trips by the traveler on City business.

3. Travelers who earn discounts or bonuses with airlines under frequent flyer programs while on official City travel are not required to account for such credits to the City or to use such credits or awards for subsequent City travel. However, participation in such programs should not bias the traveler's

decision regarding air travel arrangements. The lowest air travel cost should take precedence (including non-refundable tickets).

4. The City does not carry insurance that applies to the loss or damage of luggage or other personal effects while traveling on City business. If such damage occurs, travelers should seek reimbursement through their own insurance, or attempt to recover damages directly from the party responsible, such as the airline carrier.

**E. Use of Private or City Vehicles**

1. Travel using privately owned vehicles may be desirable to save time, transport equipment or reduce cost when a number of employees are traveling together. See the Motor Vehicle Policy for specific requirements pertaining to the use of personal vehicles for City business.

2. Travelers using a City of Allen vehicle must write “City Vehicle to be Used” on the Travel Authorization Form. Include an amount on the Travel Authorization Form under “Miscellaneous” to cover fuel costs. This only applies if a Fuelman card is unavailable for use with the City vehicle.

3. If an employee receives a monthly car allowance, no additional cost will be charged to the City. If the employee does not receive a car allowance and no City pool vehicle is available, the employee may request a mileage reimbursement which covers the maximum allowed under federal guidelines, and which will be adjusted periodically as the guidelines are changed. This reimbursement covers all fuel, maintenance, insurance and operating costs.

4. Employees must provide proof of insurance upon request of the Risk Management or Finance Departments. Information must be submitted within one (1) week of the request.

5. Damage to a privately owned vehicle used for City business is covered by the employee’s private insurance. The City does not assume any responsibility for deductibles or other uninsured loss to the vehicle.

6. Tolls and reasonable parking fees will be reimbursed in addition to the mileage allowance. Parking fines or other traffic-related fines are not reimbursable.

7. If a method of transportation is chosen other than a personal vehicle (i.e. shuttle from the traveler's home to the airport), see Section F.

8. If a personal vehicle is used for approved City travel, the reimbursement will not exceed the lesser of the per-mile reimbursement or the least expensive round-trip airfare (submitted thirty [30] days prior to travel) between the origination and destination cities, plus other associated costs (i.e., cab fare between airport and hotel). Documentation of the airfare costs versus mileage costs must be submitted with the Travel Authorization Form. If no quotes for airfare are submitted, the Finance Department will provide a comparable estimate for the use of the reimbursement.

**F. Ground Transportation**

Taxi fares, public transportation and shuttle services to and from the airport and between business-related locations in the destination city are reimbursable. Original receipts are required for reimbursement by the City. If travel funds are provided in advance, they must be reconciled within ten (10) business days of return from the trip.

**G. Parking and Tolls**

1. Tolls and reasonable parking charges will be reimbursed upon submission of appropriate receipts.

2. Reimbursement for parking at Dallas-Fort Worth International Airport or Love Field is reimbursable for the remote or reduced parking areas only. (i.e., The Parking Spot, Park-n-Fly, Best Parking, etc.) If the traveler chooses to park closer to the terminal, reimbursement will not exceed the amount for the remote or reduced parking areas. Original receipts are required for reimbursement by the City.

3. If outfield/reduced parking areas are full, Ground Transportation (see Section F) is recommended.

**A. Rentals**

1. Reimbursement for car rentals must be approved in advance on the Travel Authorization Form by the Department Head/Designee, or if the traveler is a Department Head, the City Manager. P-Card holders should utilize their P- Card after given advance notice by the approver.

2. When using rented vehicles, employees must obtain the most economical vehicle available that is suitable for City business and the number of travelers.

3. Any employee seeking a rental car must have a valid driver's license. The City's insurance policy provides vehicle liability insurance for rental vehicles. Therefore, the collision damage and/or personal accident insurance coverages offered at an additional daily charge by rental car companies will **not** be reimbursed.

**B. Tips**

Tips for meals will be allowed based on the traveler's per diem allowance. These tips must be included in the total charge for the meal. (See Section K for additional information) Tips for transportation are allowed, but should not exceed the total incidentals allowance. (See Section K for additional information) Cash tips for services provided (i.e. baggage handling) will not be reimbursed unless a receipt is provided from the servicer.

**C. Lodging**

Original receipts are required when completing the Travel Authorization Reconciliation section or Business Expense Request Form. The amount reported as lodging cost should represent only the room charges and related taxes. Other amounts (i.e. meals, parking, phone calls, etc.) should be detailed in the appropriate expense category.

**D. Per Diem (Meals)**

1. Travel funds for per diem will only be given in advance to those travelers **without** a P-Card.

2. Meal expenses for overnight travel are included in the per diem based on the time of departure to a destination and time of return from travel.
    A. If departing before 10 A.M. from the City, the traveler is entitled to the full per diem amount.
    B. If departing from the City at 10 A.M. or after, the traveler will receive the daily per diem amount less the breakfast portion.
    C. If departing from the City at 2 P.M. or after, the traveler will receive the daily per diem amount less the breakfast and lunch portions.
    D. When returning from travel, the traveler is entitled to a full day per diem if they return at 5 P.M. or after. If returning before 5 P.M., the same per diem rate applies as described in sections K.2.a-c of this policy.

3. If a conference or seminar registration includes meals in the registration fee, the included meals should be deducted from the claimed per diem allowance based on the amount for that meal. Receptions with heavy hors d'oeuvres or vendor-sponsored meals will not constitute a meal per this policy.

4. A daily allowance of $5 for incidental expenses will granted to travelers. For those employees using a P-Card, this $5 daily allowance can be applied toward tips and other incidental expenses. Flat rates for meals will be granted as follows: breakfast $12; lunch $15; dinner $20.

5. Flat rates will be utilized for day-trip meal expenses for those who do not have access to a P-Card. GSA rates are no longer being utilized by the City of Allen, unless statutorily prescribed by a higher government entity (i.e. grant stipulation). Employees traveling for the entire day are expected to keep their meal expenses at or under $52 (the aggregate of the flat rate for meals and the incidentals allowance) per day or the cumulative amount approved for the entire trip.
6. Per diem requests must be submitted thirty (30) days in advance of travel to the Department Administrative Assistant for processing in MUNIS after the initial request is submitted by the traveler.

**E. Sales Tax**

The City of Allen is a tax exempt organization. During travel, efforts must be made by the employee to remove sales tax from travel expenses incurred. Tax exempt certificates can be obtained in the Finance Department for use during travel. Sales tax will be paid should any vendors be unwilling to accept the City's tax exempt status during travel.

**F. Travel Expenses Not Reimbursable by the City**

- Any alcohol or alcoholic beverages.
- Any airfare above the lowest possible rate, unless previously approved by the City Manager.
- Travel accident insurance premiums and/or purchase of additional travel insurance.
- Costs incurred by traveler's failure to cancel transportation or hotel reservations in a timely manner.
- Late check-out or room guaranteed charges.
- Parking fines or other traffic-related fines.

- Personal entertainment expense including in-flight movies, headsets, hotel pay-per-view movies, in-theater movies, non-conference related social activities and related incidental costs.
- Laundry and dry cleaning, unless traveling for seven or more calendar days.
- Haircuts, personal grooming, and shoe shine services.
- Tobacco products.
- Vehicle towage.
- Child-care, babysitting, house-sitting, pet-sitting or kennel charges.
- Books, magazines or newspapers.
- Cash tips or any other eligible expenses without proof of payment (receipts).
- Other expenses not directly related to the performance of the travel assignment.

City of Allen employees are expected to use best judgment when initiating requests for reimbursement. Any requested deviations from this policy must be approved in writing by the CFO and City Manager prior to travel. All violations of this policy will be reported to the City Manager for review on a regular basis. Employees with violations will be subject to disciplinary action up to and including termination.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: VEHICLE REPLACEMENT** | **NUMBER: FIN-12** |
| **EFFECTIVE DATE: MARCH 27, 2017** | |
| **AMENDS/SUPERSEDES: FEB 2004** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

# VEHICLE REPLACEMENT FUND

## I. PURPOSE

To establish a policy and procedures to ensure that adequate funds will be available to purchase vehicles, equipment and IT infrastructure, to fund that part of the City of Allen's capital budget from the existing operating budget, and thereby stabilize the budgeting process. Additionally, this policy provides guidelines for procurement and liquidation of replaced assets.

## II. POLICY

2.1 All City of Allen fleet vehicles will be owned by the Vehicle and Equipment Replacement Fund (VERF) and leased to the user departments/programs.

2.2 Major pieces of equipment not included in Section 2.1 may be purchased and owned by the VERF and leased to the user departments/programs if approved during the budget process. This includes Information Technology (IT) infrastructure.

2.3 All user departments will pay a monthly replacement contribution for each vehicle and piece of equipment allocated to their use from the VERF. These contributions will provide funds to purchase replacement vehicles and equipment.

2.4 Every vehicle and/or piece of equipment replaced will be surrendered simultaneously with, or prior to, the allocation of the replacement. A determination of the liquidation status of the asset being replaced will be made prior to the time of replacement.

2.5 Accounting for any vehicles and equipment sold as surplus property will be credited to the VERF, or pursuant to 4.6 (C) if related to a grant.

2.6 The VERF is for procurement and replacement of vehicles and major equipment. New vehicles/equipment, additions or upgrades, may be purchased by the VERF with the City Manager's approval during the budget process. If a request to upgrade existing vehicles or equipment is made, justification and additional funding must be provided during the budget process. A monthly replacement contribution will be paid by the user department/program based on the expected life of the asset.

2.7 Running totals of each asset will be maintained by the Finance Department. Based on these allocations, costs will be determined for each department wishing to replace an item in the VERF before its scheduled replacement date.

## III. FUND REVENUES

3.1 Asset Replacement Contributions

A. Departments/programs will pay monthly replacement contributions for vehicles/equipment assigned to them, based on their expected useful life and available funding.

1. Expected useful life

a) Vehicles

| | |
|---|---|
| Police patrol/motorcycle vehicles | 3 years |
| Basic sedans, field or crew pickup trucks (includes 4-wheel drive vehicles) less than 15,000 GVW | 5 years |
| Ambulances | 5 years |
| Supervisor or pool vehicles | 7 years |
| Large trucks, 15,000 and over GVW, excluding fire trucks | 10 years |
| Fire engines | 10 years |

b) Equipment classified as rolling stock 10 years

c) Information Technology Assets

| | |
|---|---|
| Switches, Servers and Routers | 5 years |

| | |
|---|---|
| Telephone PBX/Handsets | 10 years |
| Large-scale IT Infrastructure | 15 years |

***NOTE: The life of certain assets may be adjusted on a case-by-case basis.***

2. Fee calculation

   a) Vehicle/equipment contributions will be determined by the Finance Department based upon the normal expected useful life of the vehicle/equipment in accordance with the following formula:

$$\frac{\text{Historical Cost} \times \text{Inflation Factor} \times \text{Adjustment \%}}{\text{Number of Months of Expected Life}} = \text{Normal Monthly Fee Charged}$$

   b) The annual Inflation Factor used above will be reviewed by the Review Committee and adjusted as needed during the budget process.

      The Adjustment Percentage used in the above formula will be computed annually, based on the relationship of VERF available fund balance to the fund's anticipated expenditures. The intent of this percentage is to ensure that the departments with less available fund balance are contributing their fair share to replace assets scheduled for their department during each fiscal year.

***NOTE: Departments which have not contributed 100% of the required funds for replacement of scheduled items will have to choose which items will be moved to the next fiscal year, or provide funds from their operating budget to fund the shortfall of expense for that fiscal year.***

3. During the budget process, approval may be given by the City Manager to purchase additional assets from the VERF or the appropriate user's budgeted capital line item. When an asset is purchased from the VERF it will be charged at twice the normal monthly fee until the total cost is recovered. After the cost has been recovered, the normal fee calculation will go into effect.

4. Assets retained beyond their expected useful life will be re- evaluated on an annual basis and charged the annual

inflationary cost on the total dollar value of the asset as calculated by section 2 above.

a) Contributions from the departments will be reviewed periodically by the Review Committee to determine sufficiency as replacement resources.

b) Departments with donated vehicles/equipment pursuant to Section 4.6 will be evaluated on a case-by-case basis by the Review Committee to determine appropriate contribution amounts.

B. Maintenance costs are not included in the department contribution and will be provided by each department's available operating funds.

3.2 Investment Earnings

A. Temporarily idle funds will be invested, with investment earnings credited to the VERF. Such investments will be managed by the Finance Department and credited to each department based on each department's percentage of the available fund balance.

3.3 Sale of Assets

A. Once an asset has been purged, it will be sold at auction by the Purchasing Division. Revenues from such sales will be credited to the department's available fund balance of the VERF.

B. Donated assets will be owned by the VERF. Revenues from the sale of assets will be credited to the VERF in a similar manner as investment earnings.

## IV. REPLACEMENT OF ASSETS

4.1 Replacement Criteria - the following criteria will be utilized as a minimum when considering assets for replacement. Other factors may be used as they are pertinent and appropriate.

A. Usage Minimum and Maximum

1. Assets which are used minimally are potential candidates for reallocation or purging. The City Manager will have final approval for reallocations and recommendations for such will be submitted by the Review Committee to the City Manager by April 30 of each fiscal year.

2. High mileage vehicles will be reviewed on a case-by-case basis.

3. User comments will be received for consideration and submitted to the City Manager along with the Review Committee's recommendation by April 30 of each fiscal year.

B. Purpose of Use

1. Is the asset currently allocated and adequately meeting service requirements for the user?

C. Repair and Maintenance Costs

1. Are repair and maintenance costs to the asset too costly to justify retention for an additional year or more?

2. Are repair parts readily available?

3. What percentage of the annual budget is being utilized for the repair of each asset in question?

4.2 Assets to be Reviewed Annually

A. Physical Inventory of Assets

At the direction of the Finance Department, a physical inventory of assets shall be completed by January 31 of each fiscal year. Each department shall submit to the Budget Division a complete listing of assets that is assigned to their department. The inventory shall include: asset number, description of asset (make, model, year), department and division the asset is assigned, and mileage or hours of operation.

The Finance Department shall cross reference the submitted inventories with the previous year's records. Field audits to verify submitted inventory lists shall be completed by the City Manager's designee each fiscal year.

B. Review Committee Assessment

Assets are not automatically replaced on a set schedule, but rather as they qualify by criteria. The annual assessment by the Review Committee is part of the final replacement decision process. Further, there is no intention of replacing assets on the basis of expected useful life as was set forth in 3.1 (A)(1)(a).

The primary evaluation criterion shall be the function which the asset is used to perform, not the level of utilization. A recommendation relative to the need to reassign or purge the asset shall be made to the City Manager for final review.

4.3 Budget Request for Replacement/Procurement

A. When an asset is identified for replacement, a request form (see Exhibit A) will be initiated by the user in conjunction with the budget process.

1. Completion of Request Form

a) Done early in the budget process based on the budget calendar, but no later than April 15 of each fiscal year.

b) Identify asset being replaced.

1) Year, model number, mileage/hours, and City of Allen's asset number.

c) Requires a full explanation of the reasons for replacement, including maintenance costs.

d) If an existing asset is being replaced with an upgraded asset, the reason for the upgrade needs to be noted on the request and operating budget from the department needs to be identified prior to the submission of the request, unless previously authorized by the City Manager.

2. Submitted by Department to the Review Committee

a) A review of the request from is performed by the Review Committee.

b) The Review Committee notes their concurrence/non-occurrence on the request form and forwards it to the Finance Department for calculation of the replacement

contribution. Such calculation is based on the normal expected useful life per paragraph 3.1 (A) (1) (a) or (b). The Finance Department enters the approved contributions into the system. It is then forwarded to the department.

c) The Review Committee may submit alternatives to the requested replacement or procurement methods suggested which could better serve the City of Allen.

3. The user department submits the request form with the department budget.

4.4 Purchase of Replacement and Procurement of the Asset

A. Pursuant to the purchasing policies and procedures, a requisition for the approved replacement is prepared by the department.

1. Identify asset being replaced

a) Year, model number, mileage/hours and City of Allen's asset number.

b) Can only be replaced if approved in the Council approved budget.

2. Review by the Purchasing Manager is required prior to submitting for bidding process.

B. A requisition for the approved procurement is prepared by the department and submitted to the Purchasing Division.

1. Identify the type of asset to be purchased

a) Type of usage

b) Estimated cost

C. Specifications for replacement or procurement of assets covered within this policy will be reviewed and approved by the Review Committee prior to final approval by the City Manager. This includes all amendments to previously approved specifications.

4.5 Replacement of Assets

A. Every asset replaced will be surrendered simultaneously with, or prior to, the allocation of the replacement, unless retention of the asset is permitted by the City Manager. A determination by the Review Committee will be made prior to the time of the purchase of the replacement as to the liquidation of the asset being replaced.

1. Notice is to be given to the Finance Department of all assets surrendered.

B. Reallocation of Units

1. Dependent on the condition and restoration status of each asset, the Review Committee is authorized to recommend to the City Manager that the surrendered asset be reallocated or retained.

a. For budgeted addition, or

b. To replace existing asset.

c. Notification of reallocation will be made to the Finance Department by the Review Committee.

d. The Review Committee may recommend a replacement contribution that differs from 3.1 (A)(1)(b)(4) for a vehicle that is reassigned and results in the addition to the fleet.

C. Liquidation of Replaced Assets

1. All assets surrendered must be purged, unless retention is approved by the City Manager.

2. The Finance Department must be notified of the liquidation of all assets which have been replaced.

a) Notice must be given of assets listed for sale to the Purchasing, Accounting and Risk Management Divisions. Finance will make necessary adjustment to the fixed asset inventory.

c) Sale of assets will be overseen by the Purchasing Division.

3. The Risk Manager must be notified of the liquidation of all assets within fifteen (15) working days of their purge from the City of Allen.

a) The Risk Administrator will then make required notification to the insurance carrier.

b) Notification will be made by the Purchasing Division upon sale of assets.

D. Treatment of Assets Deemed "Total Loss"

1. Assets which are considered totaled by the insurance provider will be replaced by the VERF.

2. Insurance proceeds for totaled assets will be deposited in the VERF.

3. Should the amount of the replaced asset be more than the total of the contributions made toward that asset plus the insurance settlement for the asset, the additional cost of replacement will be funded out of the department's operating budget (including the cost of the insurance deductible). The department will submit the desired account prior to the replacement of the asset.

4.6 Donated, Seized, or Granted Assets

A. Replacement of assets which have been donated will follow the same criteria and procedures set forth in 4.5 REPLACEMENT OF ASSETS in this administrative directive. Budgeting for the replacement will be in the VERF if a replacement contribution has been assessed for that asset. Otherwise, the replacement will be treated as a new purchase if replacement contributions have not been assessed.

B. Notification to the Finance Department of any donated, seized, or granted assets will be made by the department within seven (7) days of receipt.

C. Disposal of granted assets shall be conducted within the guidelines of the grantor agency.

D. Seized vehicles will not be charged a replacement fee since they will not be replaced.

## V. TWENTY-FOUR HOUR USE OF VEHICLES

5.0 See the City of Allen Vehicle Use Policy Fin-6.

Dept./Division Name: _____ Dept./Division #: _____

| New Item (show equipment for vehicles on separate line) | New Unit Replacement Cost | Total Fund Account # Cost | (600xxxx 6903 or 6906) |
|---|---|---|---|
| _____ | $_____ | $_____ | _____ |
| _____ | $_____ | $_____ | _____ |
| _____ | $_____ | $_____ | _____ |
| _____ | $_____ | $_____ | _____ |
| _____ | | | |
| | **TOTAL** | **$**_____ | |

To what position or crew will the new item be assigned? _____

If new item is an upgrade (e.g., replacing a Ranger with an F150), please provide justification:

_____

_____

**Old Item(s):**

| H T E Asset# | Maint. Project# | Dept. Unit # | Description | # Miles or Hours | Age | Old Unit - Historical Maintenance Cost* |
|---|---|---|---|---|---|---|
| ____ | ____ | ____ | _____ | _____ | ____ | $_____ |

To what position or crew is the old item(s) currently assigned? _____

Who inspected the old item to determine need for replacement? _____ Date Inspected: _____

***Provide historical annual maintenance costs for each vehicle or equipment being replaced through the Replacement Fund.**

Committee inspection by: _____ Date: _____ Concur with need for replacement: Yes No

- □ Engine Problems
- □ Transmission going out
- □ Electrical problems
- □ Previously wrecked
- □ No longer suited to purpose/size
- □ Other: _____
- □ Possible transfer to: _____
- □ Mileage _____

_____

_____

Committee meeting date: _____
Committee Recommendation: _____
Recommend Replacement: Yes No
If no, reason for denial: _____

Comments: _____

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: DISTRIBUTION OF GRATUITIES FOR GRATUITY ELIGIBLE EMPLOYEES AND CONTRACTORS** | **NUMBER: FIN-13** |
| **EFFECTIVE DATE: MAY 14, 2018** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## DISTRIBUTION OF GRATUITY

The City has employees and contractors at the Golf Course and the Allen Event Center that receive gratuities for food and/or beverage related services they may provide to patrons of their respective establishments.

Gratuity eligible positions at the Event Center and Golf Course include: Food & Beverage Specialist, Food & Beverage Coordinator, and Lead Concessions/Merchandise Attendant.

The following details the process and procedures for gratuities to be distributed to employees and contractors, and any applicable taxes and benefits to be applied/credited to employees:

I. Run end-of-day report at the end-of-shift:

- At the conclusion of each shift, each employee and contractor should run an end-of-day report from their respective point-of-sale systems which details the amount of cash sales, credit cards sales, and sales related to other payment types (if applicable).

- The end-of-day report (if applicable) lists the "Cash Owed" from the employee or contactor at the end of their shift. This amount is the cash received as payments for sales, less the amount of credit card tips.

II. Reporting and remittance of funds at end-of-shift:

- After running the end-of-day report (if applicable), each employee/contractor shall follow all procedures established in their applicable work areas to remit the amount of "Cash Owed" to the supervisor on duty. Contractors will also remit all credit card tips received as those will be paid to them via their employing agency which will receive all credit cards tips for their employees via an Accounts Payable disbursement.

- If the amount of an employee's "Cash Owed" at the end of the shift is negative due to the amount of credit card tips exceeding cash sales, then the negative "Cash Owed" would be paid to them via their bi-weekly paycheck.

1. Gratuities earned for catering events will be remitted via the payroll process for employees and via their employing agency for contractors.

III. Payroll processing

1. Event Center employees earning gratuities are to code them appropriately into their bi-weekly timesheets through employee self-service time entry. Golf Course supervisors are responsible to code their employee's gratuities through employee self-service time entry.

2. Employees/supervisors should use the "Tips Received" pay code to include all tips paid during the applicable pay period and the "Tips Due" pay code for any tips earned during the pay period, but not yet paid.

3. The "Tips Received" pay code will apply any applicable taxes and benefits to the employees bi-weekly paycheck but will not pay them for the gratuities which were remitted and retained by them during the applicable pay period. The "Tips Due" pay code will apply any applicable taxes and benefits to the employees bi-weekly paycheck and will also pay them for the gratuities earned and not yet remitted to them.

4. Supporting documentation for all tips entered in employee self-service time entry is to be forwarded to payroll prior to bi-weekly payroll processing in a timely manner.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: CITY IDENTIFICATION CARDS** | **NUMBER: HR-1** |
| **EFFECTIVE DATE: JANUARY 16, 2004** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## CITY IDENTIFICATION CARDS

### PURPOSE

It is the policy of the City of Allen that, as a part of the employment process, all regular full-time and part-time (excluding seasonal) employees will be issued an identification card.

### POLICIES AND PROCEDURES

City identification cards are issued for "official use only" and are not to be used for obtaining privileges, or for any personal reasons. Misuse of City identification cards may be grounds for employee disciplinary action, up to and including termination.

Identification cards are to be worn in a visible manner on the front of the upper torso manner while in all City owned facilities (employees in City of Allen work uniforms that include names are exempt from this provision). The identification card must be kept within reasonable access while on duty for the City for verification of employment. Lost, stolen or mutilated identification cards should be reported immediately to Human Resources. It is the responsibility of the employee to ensure that current information is reflected on his/her identification card. Employees will be charged a fee for a replacement card if it is lost or stolen.

In cases of promotions or demotions where a new card is issued the card must be relinquished to the Human Resources Department prior to receiving a new card.

Upon separation from employment with the City, the card must be relinquished to the Human Resources Department prior to receiving a final check.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: DRESS CODE POLICY – OFFICE EMPLOYEES** | **NUMBER: HR-2** |
| **EFFECTIVE DATE: April 20, 2023** | |
| **AMENDS/SUPERSEDES: SEPT 2, 2019, MAY 14, 2014, NOV 1, 2013, JUNE 20, 2011, NOV 1, 2006; MAY 22, 2000** | **APPROVED:**<br>_____<br>**ERIC ELLWANGER, CITY MANAGER** |

## DRESS CODE - OFFICE EMPLOYEES

The City's objective, in establishing a dress code, is to enable employees to project a professional, business-like image when working with the public. Employees of the City of Allen are expected to be neat, well-groomed and appropriately dressed each day.

Body piercing or other ornamentation of the face (other than ears and nose), head, tongue, and mouth are prohibited in the workplace. Small nose studs are permitted. Body art, including but not limited to, tattoos, branding, intentional scarring, or body mutilation, is prohibited on the face or head.

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

Employees should be aware that some individuals have sensitivity to odors and fragrances, and to use good judgment in regard to this. The City of Allen has the right to expect and does expect all employees to have sufficient pride in their work and their association with the City of Allen and to exercise mature discretion in appearance, dress and demeanor. Since opinions about what constitutes appropriate attire vary, the City has established the following guidelines.

### GUIDELINES

Business Professional dress is required for all public meetings unless otherwise specified by the City Manager. Employees attending seminars should dress appropriately as they are representing the City of Allen. Employees addressing City Council, attending Council Workshop or City Council Meeting must be in appropriate Business Professional attire.

Business Professional attire is required Monday through Thursday for all Department Directors, Assistant Directors and staff members in the executive offices.

| ***BUSINESS PROFESSIONAL*** | |
|---|---|
| APPROPRIATE ATTIRE | NOT APPROPRIATE ATTIRE |
| Long- or short-sleeved dress shirt and tie | Business Casual attire |
| Dress slacks, dress shirt, sport coat/blazer and tie | |
| Suit, dress shirt and tie | |
| Attire coordinated around conservative suits (panted or skirted), dresses, pant suits | |
| Dress blouses or shells (not t-shirts) with suits, slacks or skirts | |
| Blazers, sweaters, vests, cardigans | |
| Appropriate business footwear | Shoes without a backing, crocs, athletic shoes |

Because all casual clothing is not suitable for the office, these guidelines will help you determine what is appropriate to wear to work. Clothing that works well for the beach, yard work, dance clubs, exercise sessions and sports contests are not appropriate for a professional appearance at work.

| ***BUSINESS CASUAL*** | |
|---|---|
| APPROPRIATE ATTIRE | NOT APPROPRIATE ATTIRE |
| Traditional business attire | Anything denim (jeans, shirts, skirts and dresses), also includes colored denim, shorts, capri pants, cropped pants, cargo pants, skorts, gauchos or split skirts of any kind |
| Dockers style, dress cords, chinos and dress slacks | Sweatpants, sweat suits, nylon jogging suits or sport cover-ups |
| Long- or short-sleeved shirts or blouses, golf shirts, polo shirts with collars or banded collared shirts, turtleneck shirts | T-shirts or sweatshirts; Shirts with promotions or logos unrelated to employee's position are unacceptable unless otherwise approved by the City Manager |
| Dress blouses or shells (not t-shirts) with suits, slacks or skirts (skirt length should be no more than three inches above the knee) | Halter, tank, tube, backless or midriff tops. Sleeveless anything (except when worn with a jacket or sweater). Mini-skirts that are more than three inches above the knee, sun dresses, skorts or spaghetti-strap dresses. |
| Loose knit pants with blazer or appropriate cover extending below the hips | Spandex pants, leggings, jeggings or tight knit pants |
| Blazers, sport coats, sweaters, vests, cardigans | |
| Appropriate business footwear | Athletic shoes, sneakers, flip-flops; shoes without a backing, crocs |

| *"OPTIONAL" FRIDAY DRESS* | |
|---|---|
| APPROPRIATE ATTIRE | NOT APPROPRIATE ATTIRE |
| Business Casual attire | All items listed as "not appropriate" under Business Casual attire |
| Appropriate footwear | Flip flops, shoes without a backing, crocs |
| City of Allen logo polo or long-sleeved shirts<br>University logo polo or long-sleeved shirt | Shirts with promotions or logos unrelated to employee's position are unacceptable unless otherwise approved by the City Manager |
| Neat jeans | Jeans that are frayed, contain holes, or have ornamentation on them; jeggings, printed, painted, patched, crochet or embroidered jeans; acid or bleached washed jeans |
| Clean athletic sneakers | |

NOTE: Male employees are allowed neatly trimmed facial hair.
Any accessories, including jewelry, must be conservative in keeping with a business environment.

Fashion hats may not be worn while working in City Hall. Field personnel are allowed to wear hats to protect themselves from the weather and effects of the sun while out in the field.

City of Allen logo and long-sleeved shirts must conform to certain specifications. Allowable styles, colors and purchasing information will be forwarded to the Department Heads.

Questions as to the appropriateness of apparel or appearance should be directed to the employee's supervisor and/or applicable Department Director. The City of Allen reserves the right to determine if an employee's attire is not in keeping with this policy, and if so, the employee may be asked to return home to change to proper attire. This time may be charged to vacation leave, or if the employee has none, leave without pay.

**GUIDELINES FOR SUMMER MONTHS**

Beginning May 1st of each year and continuing through October 31st, walking shorts (appropriate length of no more than three inches above the knee) are permissible to be worn by employees working outdoors during specified times as designated by the appropriate Department Head and the City Manager. However, employees must still comply with all other guidelines set forth in the Dress Code Policy.

**TIPS FOR OFFICE DRESS**

Remember, the goal is for all employees to project a professional image. Any dirty, wrinkled, revealing, frayed or ill-fitting clothing is inappropriate. Extreme fashion trends are unacceptable. A good rule of thumb — if you question whether an item is acceptable, it probably is not.

**EXCEPTIONS**

Exceptions to these guidelines may apply where the position warrants and must be approved jointly by the City Manager and the Director of Human Resources. Exceptions may be made to comply with laws related to disability accommodation, or religious beliefs or practices, on a case-by-case basis. Employees with medical conditions that require clothing items that are not allowed under this policy should get medical certification from their primary care physician.
Jeans and athletic shoes may be worn on a day other than Friday, under special circumstances with the approval of the City Manager. Special event t-shirts may be worn the workday preceding the event and the day of the event.

Within this framework, the City of Allen allows for Business Casual dress that is acceptable. Department Heads may choose to modify the lists for their areas, only to the extent of removing certain items from the "Appropriate Attire" lists.

Department Directors are able to make this policy more, but not less, restrictive.

Public Safety Sworn positions follow their departmental dress code policy.

**ENFORCEMENT**

Supervisors are to enforce these guidelines and speak to employees who report to work in inappropriate clothing. If an employee reports to work in inappropriate attire, the supervisor may send them home to change their attire. If the employee continues to violate this policy, disciplinary action may be taken.

**Note: Uniformed Personnel and Recreation Facility Personnel should refer to the Dress Code Policy for City Issued Uniforms and specific dress code requirements that pertain to their department, as approved by the City Manager**.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: DRESS CODE POLICY – UNIFORMED EMPLOYEES** | **NUMBER: HR – 2b** |
| **EFFECTIVE DATE: April 20, 2023** | |
| **AMENDS/SUPERSEDES: AUGUST 26, 2019; DEC 1, 2013** | **APPROVED:**<br>_____<br>**ERIC ELLWANGER, CITY MANAGER** |

## DRESS CODE - UNIFORMED EMPLOYEES

The City's objective in establishing a dress code is to enable employees to project a professional, business-like image when working with the public. Employees of the City of Allen are expected to be neat, well-groomed and appropriately dressed each day.

Body piercing or other ornamentation of the face (other than ears), head, tongue, and mouth are prohibited in the workplace. Body art, including but not limited to, tattoos, branding, intentional scarring, or body mutilation, is prohibited on the face or head.

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

Employees should be aware that some individuals have sensitivity to odors and fragrances and are asked to use good judgment in regard to this. The City of Allen has the right to expect and does expect all employees to have sufficient pride in their work and their association with the City of Allen and to exercise mature discretion in appearance, dress and demeanor. Since opinions about what constitutes appropriate attire vary, the City has established the following guidelines. Departments may adopt more stringent requirements than those stated in this policy.

### UNIFORM PROCEDURES

Selected uniforms are the standard for the departments/divisions listed in Section 4. All uniform items must be approved by the City Manager and must be leased or purchased from a vendor approved by Purchasing. Exhibit A identifies the approved uniform items. If a department desires to vary in color or style from the approved uniform, approval must be received by the City Manager. Uniforms will require City logo identification along with the department name and/or the employee's name.

**UNIFORM CRITERIA**

Uniformed personnel are to be in uniform attire during the assigned working hours. Employees attending seminars, training sessions or conferences should dress appropriately and within the designated dress code or business casual as they are representing the City of Allen.

Employees Wearing City Uniforms

A. Uniforms must be kept neat and presentable at all times with the following criteria:
   a) Shirts shall be buttoned appropriately and be worn tucked in, with a belt or suspenders. All shirts must have either short or long sleeves, i.e., no sleeveless shirts. Belts and suspenders shall be free of overt designs or logos that distract from the rest of the uniform (e.g., accessories with writings, logos or loud print will not be permissible).
   b) Shirts may remain un-tucked as long as the end of the shirt is square (without tails) and covers the complete abdomen and back at all times (standing or sitting).
   c) Shirts with promotions or logos unrelated to employee's position are unacceptable unless otherwise approved by the City Manager (i.e., logos from professional associations are allowed, but other logos such as from universities, sports teams, etc., are not allowed). Shirts must be free of holes, rips or tears. Shirts must be kept buttoned and tucked in at all times.
   d) When caps, jackets, coats, coveralls or any other outer garment is provided, only City-issued items may be worn. Field personnel are allowed to wear hats, to protect them from the weather while out in the field. Upon returning to or while visiting City Hall, field personnel must remove their hats.
   e) It is not permissible to layer uniform shirts, such as wearing long-sleeve shirts under short-sleeve shirts or wearing t-shirts under button-up shirts, with the buttons opened.

B. The City of Allen logo (unless otherwise specified) and department name shall be placed on the front, left side of the shirt. Specifications for the logo and additional wording should follow the City of Allen Graphic Identity Manual, which defines colors and font. The standard logo includes red (PMS 200) and blue (PMS 541) coloring. The color of the shirt must be such that the logo and name will contrast sufficiently to be distinct, legible and recognizable. If the logo is used on a background where the standard colors are not visible, a solid black or white logo is allowed. No other logo shall be permitted on a shirt with the City of Allen logo, including manufacturer or name-brand logos, unless otherwise approved by the City Manager. For departments that require the employee name be visible, it shall be placed on the front, right-side on the uniform shirt and use the same coloring as the logo.

C. Employees will not wear city-issued uniforms while engaging in other employment. This includes all city-issued uniform items such as clothing, footwear, outerwear, etc. However, uniforms may be worn to and from work, including any incidental stops that may occur while on the way to and from work and during work-related meetings, except for activities or errands prohibited herein (reference Item E below).

D. Employees who are provided with uniforms will wear them every day while performing work for the City. This includes only the time spent from leaving the workplace to arrival at the job site, back to the workplace, and to and from their homes.

E. Employees are not permitted to drink or purchase alcoholic beverages while dressed in City issued uniforms at any time.

F. Employees are responsible for the cleaning of their own uniforms unless the uniforms are provided by a uniform service. All clothing shall be kept free of stains, tears, rips, odors or other imperfections.

G. Replacement items will be issued only for damaged or worn-out uniforms. It will be the immediate supervisor's responsibility to determine the condition of such items and authorize replacement. When replacement uniform items are provided to an employee, he/she must return the existing items to the immediate supervisor prior to receiving the replacement items. Uniform items must be tracked properly by the employee's supervisor. Items lost or damaged outside of the workplace will be the responsibility of the employee to replace, and it is mandatory that such items be replaced immediately at the employee's expense.

**CLOTHING PROVIDED & DEPARTMENTS/DIVISIONS AFFECTED**

Employees within the departments/divisions listed in Exhibit B will be required to wear uniforms each day. Police and Fire department uniformed employees do not fall under this policy and will be governed by the written uniform policy established by their respective departments.

For hotter/extreme hot weather, employees who are provided uniformed shorts may wear them from May 1 through September 30.

It is the responsibility of the supervisor/manager to keep track of items issued to each employee and ensure employees understand their responsibility through Exhibit C, Uniform Issuance Agreement.

**PROCUREMENT**

Uniform shirts and pants should be reviewed annually and may be replaced once every year. If a need arises for replacement outside of this time frame, each instance will be handled on a case by case basis.

Likewise, safety footwear will be provided one time annually at the budgeted allowance and must be purchased from a vendor and item approved by Purchasing. Boots shall be steel-toed unless approved by the employee's supervisor or Department Director. Any cost above the city allowance ($150 at the time of this writing) will be paid by the employee directly to the vendor at the time of purchase.

For cooler/extreme cold weather, additional items will be provided at the Department Director's discretion which may include, but not be limited to, a cold weather hat, gloves and coveralls. A lightweight jacket will be provided in addition to a heavy winter parka-type coat. A rain suit may also be provided for some staff. These items will be replaced on an "as needed basis" and will be the responsibility of the supervisor/manager to recommend replacement based on condition of the items.

When ordering uniform clothing, the Department Director shall select from approved colors and items for uniformed employees. The colors may be different between department and division personnel but shall be identical within the divisions.

Exceptions may be made to comply with laws related to disability accommodations, or religious beliefs or practices, or on a case-by-case basis. Employees with medical conditions (e.g., allergies) that require clothing items that are not allowed under this policy may be required to provide medical certification from their primary care physician. Such exceptions must be approved jointly by the City Manager and the Human Resources Director.

Supervisors are to enforce these guidelines of dress and must correct employees who report to work in inappropriate clothing. If an employee reports to work in inappropriate attire, the supervisor may send them home to change their attire, without compensation of time away from the office. If the employee continues to violate this policy, disciplinary action may be taken.

**SEPARATION PROCESS AND RESPONSIBILITY OF COST**

Upon separation from employment including resignation, reduction in work force or dismissal, the employee's supervisor will collect only uniform clothing bearing the City logo, issued to the employee. The cost of any missing articles or items withheld by the employee shall be withheld from the final paycheck of the separating employee.

# EXHIBIT A - Uniform Items and Pricing

| ITEM TYPE | VENDOR | DESCRIPTION | ITEM # | COST | SIZE | CONTRACT |
|---|---|---|---|---|---|---|
| **Polo Shirt Short Sleeve** | Monterey Club | Monterey Club Micropique Sport Wick Polo<br>96% Cotton/4% Spandex<br>Embroidered Logo | 1060-870 | $17.00<br><br>$2.50 | | **No Contract** |
| | | | | | | |
| **Polo Shirt Short Sleeve** | G&K | Port Authority - w/ pocket S/S | K800P | 22.08/26.33 | S-XL/XXL-XXXL | **Buyboard** |
| | | Port Authority no pocket S/S<br>100% Cotton | K800 | 20.39/24.64 | S-XL/XXL-XXXL | |
| **Polo Shirt Long Sleeve** | G&K | Port Authority no pocket L/S<br>Embroidery | K800LS | 23.79/28.05<br>$6.00 | S-XL/XXL-XXXL | |
| | | | | | | |
| **Polo Shirt Short Sleeve** | G&K | Port Authority - w/pocket<br>65% Polyester/35% Cotton | K500P | 15.29/19.55 | S-XL/XXL-XXXL | **Buyboard** |
| **Polo Shirt Short Sleeve** | G&K | Sport Tec<br>100% Polyester | K469 | 18.69/22.93 | S-XL/XXL-XXXL | **Buyboard** |
| | | | | | | |
| **Men's Polo Shirt Short Sleeve** | G&K | Microsoft Sport Wick | ST650 | $21.98 | XS-4XL | **Buyboard** |
| **Women's Polo Short Sleeve** | G&K | Microsoft Sport Wick, open neck, no buttons | LST650 | $21.98 | XS-3XL | **Buyboard** |

# EXHIBIT A - Uniform Items and Pricing

| ITEM TYPE | VENDOR | DESCRIPTION | ITEM # | COST | SIZE | CONTRACT |
|---|---|---|---|---|---|---|
| **Long Sleeve Polo** | G&K | Microsoft Sport Wick | ST657 | $23.98 | XS-4XL | **Buyboard** |
| **Men's Polo Short Sleeve** | G&K | Sport Tek Dri Mesh | K474 | 22.09/26.35 | XS-4XL | **Buyboard** |
| **Women's Polo Short Sleeve** | G&K | Sport-Tek Dri-Mesh w/buttons | L474 | $25.98 | XS-3XL | |
| | | G&K Embroidery | | $6.00 | | |
| | | | | | | |
| **Oxford** | Squeeges | VanHeusen Wrinkle Free | Men VH 56850 Women VH 59850 | $23.54 | Men: S-XXXL Women: S-XXL | **No Contract** |
| **Oxford** | Squeeges | VanHeusen Wrinkle Free L/S | Men-VH 56800 Women-VH 59800 | $25.90 | Men: S-XXXL Women: S-XXL | **No Contract** |
| | | Embroidery | | $7.00 | | |
| **Oxford** | G&K | Easy Care by Port Authority Short Sleeve | S508 | 18.69/22.95 | XS-6XL | **Buyboard** |
| **Oxford** | G&K | Easy Care by Port Authority Long Sleeve | S608 | 18.69/22.95 | XS-10XL | **Buyboard** |
| **Oxford** | G&K | Easy Care by Port Authority Short Sleeve | L508 | 18.69/22.95 | XS-6XL | **Buyboard** |
| **Oxford** | G&K | Easy Care by Port Authority 3/4 sleeve | L612 | 18.69/22.95 | XS-4XL | **Buyboard** |
| **Oxford** | G&K | Easy Care by Port Authority Long Sleeve | L608 | 18.69/22.95 | XS-6XL | **Buyboard** |
| | | G&K Embroidery | | $6.00 | | |

# EXHIBIT A - Uniform Items and Pricing

| ITEM TYPE | VENDOR | DESCRIPTION | ITEM # | COST | SIZE | CONTRACT |
|---|---|---|---|---|---|---|
| | | | | | | |
| **T-Shirt Long Sleeve** | G&K | Hanes Beefy T 100% Cotton L/S | 5186 | 10.90/13.45 | S-XL/XXL-XXXL Unisex | **Buyboard** |
| **T-Shirt Short Sleeve** | G&K | Hanes Beefy T 100% Cotton S/S | 5180 | 7.35 / 9.89 | S-XL/XXL-XXXL | **Buyboard** |
| **T-Shirt Short Sleeve** | G&K | Hanes Comfort Soft HW 100% Cotton S/S | 5280 | 4.20/6.79 | S-XL/XXL-XXXL | **Buyboard** |
| **T-Shirt Short Sleeve** | G&K | Hanes Heavyweight S/S | 5190 | 9.5/11.89 | S-XL/XXL-XXXL | **Buyboard** |
| **T-Shirt Short Sleeve** | G&K | Sport Tek, no collar solid ST700 | ST700 | 11.05/15.29 | S-XL/XXL-XXXL | **Buyboard** |
| | | | | | | |
| **Pant** | G&K | Redkap industrial Cargo Pant | PT88 | $27.20 / $30.59 | 30-42/44-50 | **Buyboard** |
| **Pant** | G&K | Flat Front Pant | PT20 | 21.25/26.35 | 27-42/44-54/56-60 | **Buyboard** |
| **Pant** | GT | 511 Taclite Men's Pro Pant | 74273 | $36.67 / 42.39 | Mens: Waist 28-54, Length 30-36 + unhemmed | **Buyboard** |
| **Pant** | GT | 511 Taclite Women's Pant | 64360 | $36.67 | Womens: 2-20 Long and Regular | **Buyboard** |
| | | | | | | |
| **Short** | GT | 511 Taclite Men's Pro Short | 73287 | $34.78 | Men's: 28-44 | **Buyboard** |
| **Short** | GT | 511 Women's Pro Short | 63071 | $34.78 | Women's: 2-20 | **Buyboard** |
| **Short** | G&K | Redkap industrial Cargo Short | PT66 | $22.44/27.54 | 30-42/44-50 | **Buyboard** |

# EXHIBIT A - Uniform Items and Pricing

| ITEM TYPE | VENDOR | DESCRIPTION | ITEM # | COST | SIZE | CONTRACT |
|---|---|---|---|---|---|---|
| | | | | | | |
| **Outer Wear** | G&K | Port Authority Wind Shirt | J704 | 33.99/38.25 | S-XL/XXL-XXXL 6.00 Logo | **Buyboard** |
| | G&K | Light Jacket Redcap | CSJT38 | 44.18/48.45 | S-XL/XXL-XXXL 6.00 Logo | **Buyboard** |
| | G&K | Heavy Jacket Dickies Hooded | XXTJ718 | 57.79/67.15 | M-XL/XXL-6XL 6.00 Logo | **Buyboard** |
| | G&K | Coveralls Dickies Insulated | XXTV239 | 76.50/80.75 | M-XL/XXL-XXXL 6.00 Logo | **Buyboard** |
| | G&K | Bib overall Dickies Insulated | XXTB839 | 59.50/65.45 | M-XL/XXL-XXXL 6.00 Logo | **Buyboard** |
| | G&K | Redkap Team Style Jacket | SCSJT38 | $44.19 | M-XL/2XL-6XL 6.00 Logo | **Buyboard** |
| | Squeeges | All Weather Jacket with Hood<br>G&K Embroidery | D735 | 59.98 - XL<br>$6.00 | Unisex XS-4XL | **No Contract** |
| | TBD | Mid or Lightweight Jacket | | | | |
| | | | | | | |
| **Parks Hats** | G&K | Port and Company | CP79 | $4.23 | 6.00 logo | **Buyboard** |
| | G&K | Port and Company | CP85 | $3.39 | 6.00 logo | **Buyboard** |
| | G&K | Port Authority Knit Cap | CP90 | $2.53 | 6.00 logo | **Buyboard** |

# EXHIBIT A - Uniform Items and Pricing

| ITEM TYPE | VENDOR | DESCRIPTION | ITEM # | COST | SIZE | CONTRACT |
|---|---|---|---|---|---|---|
| | G&K | Summer Port Authority Safari Hat | SHRB | $13.59 | 6.00 logo | **Buyboard** |
| | Squeeges | Summer Hat | WM-6 | 11.48 Embroidered | | **No Contract** |
| | | | | | | |
| **Event Center** | LNX | Performance Polo | 1577 | 23.75,27.75, S-2X | | **No Contract** |
| | | Easy Care Oxford | 1077 | 27.75, 29.95, S_2X | | |
| | | Zippered Cardigan | 372 | 42.00, 49.00, S-2X | | |
| | | Soft Touch 3/4 Sleeve Poplin-SS,LS | 5040 | 21.50, 25.00, 26.75 - S-3X | | |
| | | Bistro Apron | 9007 | $11.00 | | |
| | | New Era Mesh Cap | NE302 | $14.00 | | |
| | | Challenger Jacket | J353 | 45.00, 47.50, S-2X | | |
| | | Sport Tek Side Block Polo | ST655 | 19.50, S-XL | | |
| | | | | | | |
| **Uniform Rental** | G&K | Cotton button down shirt | | | | |
| | G&K | Pleated Pant - Navy, khaki | | | | |
| | | | | | | |
| **Shoes/Boots** | Work Wear | Steel-toed | | | | |
| | TBD | Non-steel toed | | | | |

# EXHIBIT B – Uniform Items Detail

The lists below indicate the approved uniform items for each department and position. Listed below are the items provided by the City of Allen that make up a standard uniform. Specific item detail and approved vendors are provided in Exhibit A.

**Standard Uniform Items** –

Rental Service

- Collared button-up shirts (short-sleeve or long-sleeve)
- Navy blue or khaki uniform pants

Direct Purchase Items

Shirts – long-sleeved or short-sleeved

- Collared button-up oxford style shirts
- Collared polo style shirt
- T-shirts

Pants – Navy blue or khaki

- Cargo style pants
- Standard Uniform Pants -
- Shorts - khaki-colored shorts

Outer Wear

- Jacket/Winter Coats
- Coveralls or Overalls
- Hats (ball caps, winter caps, etc)
- Rain gear
- Protective footwear

**Community Development:**

Shirt Color: Royal Blue

Standard Employee Uniform –

Direct Purchase:

- No more than 7 oxford style shirts
- No more than 7 pants

Positions Affected:

- Building Inspector
- Code Enforcement Officer
- Sr. Environmental Specialist
- Environmental Health Specialist

Standard Field Supervisor/Manager Uniform

Direct Purchase:

- No more than 3 oxford style shirts, or Business Casual Attire, as defined in City of Allen Policy Manual. Employee ID badge must be worn and be clearly visible.

Positions Affected:

- Assistant Building Official
- Code & Health Compliance Manager

**Community Services:**

Shirt Color: Blue-Water/Sewer; Brown-Streets/Drainage; Green-Building Maintenance

Standard Employee Uniform

Rental Service:

- No more than 11 sets of pants and shirts

Direct Purchase:

- No more than 4 short-sleeved, t-shirts

Positions Affected:

- Building Technician
- Lead Custodian
- Custodian
- Pump Station Operator
- Crew Leader
- Equipment Operator
- Maintenance Worker

# EXHIBIT B – Uniform Items Detail

- Meter Services Technician
- Drainage Inspector

Standard Field Supervisor/Manager Uniform

Rental Service:
- No more than 11 sets of pants and shirts

Direct Purchase:
- No more than 4 polo style shirts
- No more than 4 short-sleeved, t-shirts

Positions Affected:
- Building Maintenance Foreman
- Water/Sewer Superintendent
- Water/Sewer Foreman

Streets/Drainage/Solid Waste
- Streets Foreman

Standard Public Outreach Uniform

Direct Purchase:
- No more than 3 polo style shirts, or Business Casual Attire, as defined in City of Allen Policy Manual. Employee ID badge must be worn and be clearly visible.

Positions Affected:
- Waste Services Manager
- Water Conservation Manager
- Education Specialist

**Engineering**

Shirt Color: Blue-General Engineering; Black & Fluorescent Green-Traffic

Standard Employee Uniform

Direct Purchase:
- No more than 7 long-sleeve shirts
- No more than 7 short-sleeve shirts
- No more than 7 pants
- No more than 7 shorts

Positions Affected:
- Construction Inspector
- Senior Signal Technician
- Signs & Markings Technician
- Traffic Signal Technician
- Assistant Traffic Signal Technician

**Parks & Recreation – Maintenance**

Shirt Color: Maroon-Horticulture/Forestry/Special Services; Blue-Facility Services;

Standard Employee/Field Supervisor Uniform

Direct Purchase:
- No more than 7 long-sleeve shirts
- No more than 7 short-sleeve shirts
- No more than 7 pants
- No more than 7 shorts

Positions Affected:
- Athletic Fields Supervisor
- Parks Operation Supervisor
- Urban Forester
- Code Inspector

- Crew Leader
- Equipment Operator
- Maintenance Worker
- Building Technician
- Parks Maintenance Technician

# EXHIBIT B – Uniform Items Detail

- Chemical Specialist
- Chemical Technician
- Irrigation Specialist
- Irrigation Technician

Standard Manager Uniform

Direct Purchase:
- No more than 5 shirts
- No more than 2 pants

Positions Affected:
- Parks Superintendent

Business Casual Attire, as defined in City of Allen Policy Manual. Employee ID badge must be worn and be clearly visible.

**Information Technology**

Shirt Color: White, Red, Navy Blue, Gray, Black

Standard Employee Uniform

Direct Purchase:
- No more than 7 polo style shirts, or Business Casual Attire, as defined in City of Allen Policy Manual. Employee ID badge must be worn and be clearly visible.

Positions Affected:
- System Administrator
- AS400 System Administrator
- IT Specialist
- IT Technician
- Application Specialist

**Parks & Recreation - Recreation**

Joe Farmer Recreation Center, Don Rodenbaugh Natatorium, Senior Recreation Center, Athletics, Youth Services, Community Ice Rink

Shirt Color: Red, Royal Blue, Maroon, Black, Navy Blue

Standard Employee/Supervisor Uniform

Direct Purchase:
- No more than 5 polo style shirts, or Business Casual Attire, as defined in City of Allen Policy Manual. Employee ID badge must be worn and be clearly visible.
- One jacket, all weather
- One mid or light weight jacket

Positions Affected:
- Center Supervisor
- Program Supervisor

Direct Purchase:
- No more than 6 polo style shirts, or Business Casual Attire, as defined in City of Allen Policy Manual. Employee ID badge must be worn and be clearly visible.
- One jacket, all weather
- One mid or light weight jacket

Positions Affected: Full time
- Recreation Specialist II

Direct Purchase:
- No more than 5 polo style shirts

Positions Affected: part time, .51 FTE or greater

# EXHIBIT B – Uniform Items Detail

– One mid or light weight jacket

– Recreation Specialist I
– Park Attendant
– Fitness Specialist –

Direct Purchase:
– No more than 4 polo style shirts
– One mid or light weight jacket

Positions Affected: part time, .50 FTE or less
– Recreation Specialist I
– Park Attendant
– Fitness Specialist –

Direct Purchase:
– Avg 3/person –t-shirt or tank top
– Avg 3/person –swimwear (suits for women and trunks for men)

Positions Affected
– Lifeguards and Swim Instructors
– Quantities vary based on hours worked

Direct Purchase:
– One warm up/jump suit on-ice work use
– One light-weight jacket

Positions Affected
2. Community Ice Rink Staff

**Parks & Recreation - Courses at Watters Creek** (items may have Watters Creek Logo)

Standard Employee Uniform - Golf Maintenance Staff

Shirt Color: Brown

Rental Service:
– No more than 13 sets of pants and shirts

Direct Purchase:
– No more than 4 short-sleeved, t-shirts

Positions Affected:

– Golf Asst. Superintendent
– Parks Maintenance Technician
– Chemical Technician
– Maintenance Worker

Standard Employee/Supervisor Uniform - Golf Staff and Food & Beverage Staff

Shirt Color: White, Black, Navy, Royal Blue, Red

Direct Purchase:
– No more than 7 polo style shirts, or Business Casual Attire, as defined in City of Allen Policy Manual. Employee ID badge must be worn and be clearly visible.
– One jacket, all weather

Positions Affected: Full time
– Food & Beverage Supervisor
– Lead Food & Beverage Specialist

Direct Purchase:
– No more than 5 polo style shirts

Positions Affected: part time, .51 FTE or greater

– Golf Attendant

Direct Purchase:
– No more than 4 polo style shirts

Positions Affected: part time, .50 FTE or less
3. Food & Beverage Specialist
4. Golf Attendant
**5.** Golf Range Attendant

# EXHIBIT B – Uniform Items Detail

**Parks & Recreation - Allen Event Center** (items have Allen Event Center Logo)
Shirt Color: Blue, Red, Black

Standard Employee Uniform
Outreach

Box Office Staff
2 - Collared polo style shirt

Event Staff
1 - Collared polo style shirt
1 - Collared button-up oxford style shirt
1 – zipper cardigan sweater/jacket

Food & Beverage
Premium Level & Loge:
2 - Fitted Button, oxford style Shirt
1 - Bistro Apron

Concession:
2 – Collared polo style Shirt
1 - Black Performance Cap

Bartenders:
7 - Collared button-up oxford style shirt provided by contracted weekly uniform service
1 - Bistro Apron

Standard Uniform: Supv./Manager , Public

3**-**Collared short-sleeved, polo style shirts for supervisors, when representing the City of Allen to the public. Or Business Casual Attire, as defined in City of Allen Policy Manual. Employee ID badge must be worn and be clearly visible.

Positions Affected – Director/Manager/
Supv:

- Production & Ops
- Concessions
- Box Office
- Guest Services
- Event Specialist

EXHIBIT C
Uniform Issuance Agreement

**Employee:** _____ **Department:** _____

You are being issued the following uniform and/or equipment items at no cost to you. You are responsible for the maintenance, laundry and/or care of these items, as applicable for your department. All uniform items must be kept neat and clean and in good condition at all times.

**REPLACEMENT OF ITEMS**

- In the event of lost or destroyed uniform or equipment, you are responsible for the cost of the replacement items. Payroll deduction may be arranged by written request from the employee.
- In the event of uniform normal wear and tear, items should be exchanged for the replacement items. You will not be charged for the cost of replacing items due to normal wear and tear to uniform items.

**RETURN OF ITEMS**

- Upon separation of employment from City of Allen, the following terms will be applied:
    - All uniform clothing items bearing the City of Allen logo issued to you are considered City owned property and must be returned in good and usable condition no later than your last day of employment.
    - If the issued uniform or equipment items are not returned upon separation of employment or the items are returned damaged and unusable, the cost of replacing these items will be withheld from your final pay check.

**CLEANING OF UNIFORMS**

- All uniform items have noted washing instructions. Employees are required to adhere to those instructions when laundering their uniforms.

**I understand the above Agreement and agree to abide by the indicated terms. Should I fail to return any item(s) listed upon employment separation from the City of Allen, my signature authorizes City of Allen to deduct the replacement cost of such item(s) from my final paycheck.**

_____ _____

Signature of employee Date Signature of Supervisor Date

CITY OF ALLEN

**Employee Name:** _____ **Department:** _____

| Date Issued | Item Description | Quantity | Replacement Cost | Initials Verifying Uniform Items Distributed | | Date Returned | Initials Verifying Uniform Items Returned | |
|---|---|---|---|---|---|---|---|---|
| | | | | Employee | Supervisor | | Employee | Supervisor |
| | | | | | | | | |
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_____ _____

Signature of Employee Date Signature of Supervisor Date

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: EDUCATION ASSISTANCE** | **NUMBER: HR-3** |
| **EFFECTIVE DATE: OCTOBER 1, 2013** | |
| **AMENDS/SUPERSEDES: 7/1/2009** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## Education Assistance Program

### PURPOSE

It is a goal of the City of Allen to provide quality services for its citizens through employee development and growth. The intent of this program is to provide educational assistance to employees who seek to broaden their knowledge in their chosen field and/or to provide an avenue for advancement within the City. Participation in this program does not in any way imply or guarantee availability of additional work responsibilities or job opportunities.

This directive establishes a financial education assistance program which applies to employees who wish to voluntarily pursue educational advancement.

### ELIGIBILITY

Participation in the Education Assistance Program is subject to availability of funds in the City's annual operating budget and prior written approval of the Department Director and the Human Resources Director.

**Employee Eligibility**

All regular full-time employees are eligible to apply for education assistance after successfully completing their new hire probationary period defined as one year following their first day of employment according to HR Policy 4.01.

Employees must be in good standing with the City prior to enrolling in a course. Employees who have received written disciplinary action are not eligible to apply for one year from the receipt of the most recent written discipline. To retain eligibility for assistance, an employee must remain an active, full-time employee in good standing from the time of application to the time the course is completed.

**Course and Degree Eligibility**

The City of Allen provides education assistance to eligible employees who are pursuing approved Associates, Bachelors and Master's degree programs that are beneficial to both the employee and the City. Doctorate degrees are not covered under this program.

Coursework must be from a nationally or regionally accredited college or university recognized by the Department of Education.

Education Assistance may be provided when the employee's degree program is job-related or specifically related to a reasonable career option for the employee within the City.

This program does not cover professional licensing or professional development seminars. Any course, seminar, license or certifications are subject to departmental training budgets or professional development funds.

Non-credit continuing education courses containing the same or similar information as received in previous courses (repeat courses) as well as credit obtained under the College Level Examination Program (CLEP) are not eligible for education assistance.

Education assistance will be provided once for each approved course. The City will not provide assistance for courses for which the employee has already received payment under the Education Assistance Program.

If a course is subsidized by another source (e.g. scholarships, grants, Veterans' benefits, or other subsidies), education assistance is limited to those costs not covered by the other source. It is the employee's responsibility to inform the Human Resources Department if he/she is receiving financial assistance by another source. In the event of partial scholarships or grants, reimbursement will be calculated based on the actual expense to the employee. Failure to inform the Human Resources Department of financial assistance received will result in disqualification from participation in the Education Assistance Program and subject to disciplinary action.

**REIMBURSEMENT GUIDELINES**

Grades

Employees who are seeking assistance from the Education Assistance program must earn a grade of "C" or above in undergraduate level courses and a "B" or above in graduate level courses. Courses graded as "pass/fail" will be reimbursed only if the course uses the "pass/fail" as a mandatory grading requirement and a "pass" grade is received.

Fund Availability

Assistance will be based on the availability of funds in the City's Education Assistance budget at the time of application. The maximum amount of education assistance an employee is eligible to receive in a fiscal year will be calculated by dividing the available funds in the budget by the total number of participants in the program, therefore, total assistance amounts will vary from one fiscal year to the next but will not exceed **$2,500.00** per participant per fiscal year.

The completion date of the class will determine to which fiscal year the cost will be charged. Employees who exceed the maximum allowable reimbursement amount shall be responsible for payment exceeding the maximum.

Reimbursement

All eligible employees are responsible for paying their tuition and mandatory fees in advance to their educational institution. Mandatory fees shall be defined as those fees, which are a requirement of enrolling in the course and/or as a result of enrolling in the institution of higher learning. Parking, materials, equipment and other optional fees are not eligible for assistance and are the responsibility of the employee. Expenses related to travel, meals, or lodging are the cost of the employee and are not eligible under this plan.

The cost of books will be reimbursed at 50%; with a maximum reimbursement of $$400 per year. The City will reimburse books at 100% for Fire Personnel who participate in the State's free tuition program with a maximum reimbursement of $1,500 per year.

Reimbursement will be paid when the participant submits a grade report or transcript indicating successful completion of the course. Book reimbursement will still be subject to the maximum assistance amount allocated to the participant that year.

**TAX IMPLICATIONS**

The City of Allen offers this education assistance program under the guidelines of Section 127 of the Internal Revenue Code (IRC 127) which covers employer-provided education assistance programs. Under Section 127, an employer may exclude qualified expenses from an employee's gross income, up to a maximum dollar amount per calendar year.

If an employee receives education assistance that exceeds the maximum exemption amount set by the IRS in that calendar year, the additional amount will be reported as income and subject to tax withholding.

**APPLICATION PROCEDURES**

First time participants wishing to participate in the Education Assistance Program must provide the following documents when seeking approval to participate in the program.

- Education Assistance Agreement signed by the employee, their supervisor, the department Director or designated appointee;
- Official Scholastic Accreditation documentation;
- A copy of the Degree Plan being pursued;
- A copy of the Educational Institution's Tuition and Fees Schedule.

**To be eligible for education assistance, the employee must obtain final approval from the Human Resources department.** In the case of denial, appeals may be made in writing to the Director of Human Resources within 10 working days of receipt of denial. Decisions made by the Director of Human Resources will be final.

Requests for education assistance will be made on an annual basis. The Annual Request for Education Assistance form must be submitted no later than **April 30th** prior to the beginning of the fiscal year in which the employee intends to participate

in the program. Requests submitted after the deadline will be ineligible for participation for that fiscal year unless extended by the Human Resources Director.

Employees will be required to indicate the number of credit hours they anticipate **completing** in the fiscal year (October 1 – September 30) in which they are seeking assistance. The number of credit hours a participant intends to receive assistance for should not exceed 18 credit hours in a fiscal year. An estimate of tuition expenses along with book costs must be included on the request form. A copy of the school's current tuition and fee schedule must be attached to the request form. Employees will be notified prior to the start of the fiscal year (October 1) of the maximum amount of assistance the City will be able to provide for that fiscal year.
Education assistance forms are available in the Human Resources Department and on the Common drive at M:\Human Resources\Tuition.

Participants will only be reimbursed for the courses as specified in the degree plan.

**At the End of Each Academic Term**
Employees will be required to submit the following items ***no later than 30 days*** from completion of the course(s):

- A signed Course Completion Notification Form;
- A copy of the itemized Bursar's statement that shows the cost of tuition and fees;
- Proof of payment* by the employee;
- A copy of all book receipts
- A grade report or transcript from the educational institution which indicates successful completion of the course(s).

**If the participant is enrolled in a deferred tuition payment program with their educational institution, they must provide official documentation of this enrollment along with an invoice showing the partial payment amount and the amount deferred.*

Education assistance payments will appear on the paycheck following the date in which the Human Resources department receives the Course Completion Form and grade report if received in time for Payroll to process. Otherwise, payment will appear on the next paycheck.

Requests for assistance that are submitted more than 30 calendar days after the completion of the course or those without prior approval to participate in the program in the current fiscal year will not be honored and those requests will be returned to the employee.

Employees who are participating in other education assistance programs (i.e. scholarships, grants, etc.) shall be eligible only for assistance once the financial support has been deducted from the total cost of tuition charged to the employee to determine the employee's actual out of pocket expense.

All courses must be taken on the employee's own time with regard to overtime or work schedule changes. When there is an unavoidable conflict between class and job responsibilities, job responsibilities will take precedence.

**TERMINATION OF EMPLOYMENT**

The City makes this investment in its employees with the expectation that the employees are committed to continued employment with the City. Terminating employees will be required to return all monies received for education assistance within the two-year period preceding their actual termination date. Employees terminated due to a reduction in force shall not be required to reimburse the monies.

The City shall not be obligated to reimburse any expense associated with the Education Assistance Program for employees who cease employment with the City prior to completion of eligible coursework.

As a recipient of education assistance, the employee authorizes the City to deduct the balance owed for education assistance from his/her paycheck or any other final payments due to the employee. The employee further understands that, if sufficient funds are not available to satisfy the education assistance owed to the City, the employee will be required to pay the balance owed to the City by cash or money order within 90 days of termination date unless other arrangements are made in writing with the Human Resources Director If a balance still remains after one year following termination date, then the City will file the balance due as income received on the annual IRS 1099 statement.

**APPROVAL**

This policy is effective July 1, 2009 and supersedes the City of Allen Tuition Reimbursement Policy dated June 20, 2006. The City of Allen reserves the right to modify, amend, suspend or terminate this policy, its standard practices, and its administrative procedures at any time, at its sole discretion. Payment of education assistance does not constitute an agreement of continuation of employment with the City of Allen.

**APPENDICES**

- Education Assistance Agreement (First Year of participation only)
- Annual Request for Education Assistance (Every Fiscal Year)
- Course Completion Notification (Every Academic Term)
- Program Checklist

**City of Allen**
**Education Assistance Agreement**

The City of Allen has instituted an employee development policy, which provides education assistance for regular, full-time employees attending accredited educational institutions.

The employee requesting participation in this program has read the Education Assistance Policy and by signing this agreement is hereby notifying the City of Allen and the Human Resources Department of a desire to pursue course work under this program.

The Human Resources Department (who is responsible for administering the program) will approve the request for education assistance if a passing grade, as specified under the Education Assistance Policy, is achieved and if all other conditions under this policy are met.

***As set forth above, both parties agree as follows:***

The participant agrees to comply with all terms and provisions of the City's Education Assistance Policy. More specifically:

If the employee terminates their employment with the City, the employee authorizes the City of Allen to deduct the balance owed for education assistance from his/her paycheck or any other final payments due to the employee. The employee further understands that, if sufficient funds are not available to satisfy the education assistance owed to the City, the employee will be required to pay the balance owed by cash or money order.

This authorization will include any amount due and owing to the City for not having fulfilled the two-year requirement for receiving education assistance under this program. Employees terminated due to a reduction in force shall not be required to reimburse the monies received for education assistance.

I have read and understand the above agreement.

_____ _____

**Participant's Signature** **Date**

_____

**Participant's Name *(Print or Type)***

---

**Approved by:**

_____ _____

**Department Head/Date** **HR Representative/Date**

# Annual Request for Education Assistance

| | |
|---|---|
| **Employee Name:** | **Date of Hire:** |
| **Job Title:** | **Department:** |

| |
|---|
| **Name of Accredited Institution:** |

| Course Name | Credit Hours | Academic Term | Estimated Tuition Cost | Estimated Book Expenses | Estimated Total Cost |
|---|---|---|---|---|---|
| | | | | | |
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| | | | | | |
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| | |
|---|---|
| **Total Cost of Tuition & Required Fees:** | |
| **Total Cost of Book Expenses:** | |
| **Less Amount of Financial Aid Received (Scholarships, Grants, GI Bill)** | |
| **Total Tuition & Required Fees Paid By Employee (Assistance Requested)** | |

By submitting this form, I acknowledge that I have read and understand the Education Assistance Policy and agree to abide by its guidelines. I understand and agree by signing this request that, if I terminate employment with the City of Allen within two years from the date education assistance is paid to me, the amount owed will be deducted from my final paycheck any remaining amounts owed will be paid to the City in the form of a money order.

I further acknowledge my understanding that providing an incomplete form or not providing all the required documents will result in my ineligibility for education assistance for the fiscal year. Falsification of information or failure to disclose receipt of financial aid will result in denial of education assistance and disciplinary action.

Education assistance requests are subject to approval by the Department Director and the Human Resources department. Availability of education assistance is subject to City Council approved funding levels. Human Resources will evaluate each request to ensure compliance with the City of Allen's Education Assistance Policy.

***Note: Education assistance received in excess of the established IRS limits for non-taxable benefits will be included as gross income on the employee's W-2 Form as required by Section 127 of the Internal Revenue Code.***

**Employee's Signature / Date**

**Supervisor's Approval / Date**

**Department Director Approval / Date**

**Human Resources Approval**

# Course Completion Notification

Please submit this completed form at the beginning of each semester along with your statement of tuition and fees, proof of payment and detailed book receipts.

| Employee Name: | Job Title: |
|---|---|
| Department: | Phone: |

| Degree and Major: | |
|---|---|
| Name of Accredited Institute: | Term: ❒Fall ❒Winter ❒ Spring ❒Summer |

| **Course Name (Include Course Number)** ***List Additional Courses on the Back*** | **Grade Received** | **Start Date** | **End Date** | **Credit Hours** | **Tuition Cost** |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |
| | | | | | |
| **Total Tuition Expenses:** | | | | | |

| **Book Expenses (Include Book Title)** ***List Additional Books on the Back*** | **Cost** |
|---|---|
| | |
| | |
| **Total Book Expenses:** | |

| | |
|---|---|
| **Cost of Tuition, Fees & Book Expenses (From Page 1 & Page 2)** | |
| **Less Amount of Financial Aid Received (Scholarships, Grants, etc.)** | |
| **Amount of Education Assistance Requested:** | |

I acknowledge that this/these course(s) meet the eligibility guidelines determined by the City of Allen's Education Assistance Policy. I understand that I must satisfactorily complete this/these course(s) with a grade of "C" or higher for courses leading to an Associates or Bachelors degree and a grade of "B" or higher for courses leading to a Masters degree. I further understand that courses graded as "pass/fail" will be reimbursed only if the course uses the "pass/fail" as a mandatory grading requirement and a "pass" grade is received. Such reimbursement is based on the official grade report or transcript.

I certify that I did not receive reimbursement or payment from any other source (excluding student loans) for this/these course(s). I affirm that I have submitted with this notification a statement of tuition and fees and valid receipts showing proof of payment. I agree to present a grade report or transcript upon completion of this/these course(s). I understand that if I fail to present the required documentation within the timeframes specified in the policy, that my request for assistance will be denied.

By submitting this form, I acknowledge that I have completed the course(s) listed above and I am submitting this form within thirty (30) days from the completion of coursework. I further understand that if I leave the City's employment prior to course completion, the City shall not be obligated to reimburse any part of the expense. I further understand that if I terminate employment with the City of Allen within two years of receiving assistance for any approved course, I will be required to refund the City all monies received in the two year period preceding my actual termination date (employees terminated due to a reduction in force shall not be required to reimburse the monies).

Participant's Signature / Date

Director's Signature / Date

Supervisor's Signature / Date

# City of Allen
# Education Assistance Checklist

**First Time Enrollees Into Program**

- ☐ Signed Education Assistance Agreement (Approved/Signed by Supervisor & Director)
- ☐ Copy of Your Degree Plan (Must be job-related or specifically related to reasonable career options for the employee within the City)

**PRIOR to Beginning of Fiscal Year**

- ☐ City of Allen's Annual Request for Education Assistance (Must Be Submitted Prior to April 30th )
- ☐ Copy of Educational Institution's Tuition & Fee Schedule for the Corresponding Academic Terms Employee is Seeking Assistance

**At the END of Each Academic Term**

- ☐ Course Completion Notification
- ☐ Copy of Grade Report or Transcript
- ☐ Itemized Bursar's Statement or Invoice Showing Proof of Payment*
- ☐ Proof of Payment for Books with Individual Costs (Order Forms or Packing Slips Are Not Acceptable). Please include a list of the mandatory books for the courses you are taking (e.g. Syllabus).

** If you are participating in a deferred tuition payment program with your educational institution, you must provide official documentation of your participation, as with an invoice showing your partial payment as well as the total amount deferred.*

Documentation will not be accepted if it appears the documentation has been altered or written on (e.g. Invoice Statement showing a balance, but having "PAID" written on the invoice by hand).

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: EMPLOYMENT PROCEDURES** | **NUMBER: HR-4** |
| **EFFECTIVE DATE: JANUARY 1, 2009** | |
| **AMENDS/SUPERSEDES: DIRECTIVE EFFECTIVE FEBRUARY 18, 2004** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## EMPLOYMENT PROCEDURES

These procedures are meant to establish consistency between departments on hiring, and will help ensure that the City of Allen makes legal hiring decision and hires employees who best meet the needs of the City.

### POSTING VACANT EXISTING POSITIONS

1. **Job Description:** When creating a requisition in the on-line recruitment system, please review the job description you are selecting to ensure that it is correct and accurate. If not, please contact Human Resources for assistance in changing the description.
2. **Posting of Position:** Complete a requisition in the on-line recruitment system. This formally alerts Human Resources of a vacant or new position. A requisition must be completed and approved in its entirety on each open position. Recruiting efforts will not begin until the requisition(s) is/are approved on-line by the Director, Assistant Director or the designated appointee.
3. **Termination Packet for Vacating Employee:** Human Resources **must** have a completed *Personnel Action Form (PAF)* and the resignation letter for the vacating employee before the position can be posted. If the vacating employee is being transferred/promoted to another department, please obtain signatures of both department directors on the *Personnel Action* form.
4. **Internal Postings:** With the approval from the Human Resources Director, you have the option of posting any position internally to allow current employees the chance to compete internally for the position. The first three steps are the same; however, no advertisement will be run. The position will be marked "City of Allen Internal Employment Opportunity" and will be posted in the Human Resources Department, and the City of Allen website. Internal postings must be posted for a minimum of five business days.

### POSTING NEW POSITIONS

1. **Proposed Job Description:** Before a new position can be posted, it must undergo a classification analysis to determine pay plan placement and the official job description. A completed job classification questionnaire must be submitted to the Human Resources Department specifying the essential

functions; equipment; other important duties; experience, training, skills and other abilities; required education degrees, certificates and/or licenses; and any other necessary information.

2. **Memo from City Management:** To add a position that was not approved in the budget, a request must be made to the City Manager. Written approval from the City Manager must be submitted to the Human Resources department.

3. **Internal Postings:** With the approval from the Human Resources Director, you have the option of posting any position internally to allow current employees the chance to compete internally for the position. The first three steps are the same; however, no advertisement will be run. The position will be marked "City of Allen Internal Employment Opportunity" and will be posted in the Human Resources Department and the City of Allen website. Internal postings must be posted for a minimum of five business days.

**CRITERIA FOR HIRING FROM PREVIOUS POSTINGS**

You can hire another applicant from a previous posting, if:

1. The posting is in the same classification;
2. The posting is in the same department/division; and
3. The closing date of the previous posting was ninety (90) days or less.

**All** of the above criteria must be met to hire from a previous posting. If all of the above criteria are not met, the position must be posted and/or advertised again.

**FILLING RECURRING SEASONAL POSITIONS**

Individuals who worked the previous year in a seasonal position can be rehired without posting and advertising the position. The individuals do not have to fill out a new application unless it has been longer than one year since they were employed; however, they will need to complete paperwork to ensure the employment record contains accurate (current) information. The required pre-employment testing (criminal and driving checks, drug screen and physical – if applicable) will also be required.

The hiring supervisor must complete personnel action forms for the returning employees so their files can be re-activated and the necessary pre-employment testing can be conducted.

**POSITION ADVERTISEMENT PROCESS**

1. **Posting Deadline:** The minimum posting time for any position is five days. Positions will automatically post for two weeks. Requests to post a position for the minimum five days must be indicated on the requisition to hire. Requests for extensions and to post a position continuously will be reviewed on a case-by-case basis.

2. **General Advertisements:** Positions will be advertised on the City's website, external websites, with relevant industry and occupational organizations, and any other reasonable avenues recommended by the hiring supervisor.

3. **Special Advertisements**: A special ad highlights a position's pay, duties and experience/educational requirements. These ads will be considered if a sufficient number of applicants are not received through our weekly advertising, or if a position is targeted as being hard to fill through our normal channels.

**ACCEPTANCE OF APPLICATIONS**

Applications shall only be accepted for vacant posted positions. A current, completed application must be submitted on-line before the closing date for the applicant to be considered for employment. Applicants must log in on-line and submit their application for each posted position. Background and supporting documents may be required to support claims of education, experience, and certification.

**DISQUALIFICATION OF APPLICANTS**

Although not intended to be an exhaustive list, examples for grounds of rejection of an applicant include, but are not limited to, the following:

1. **Impairment:** Inability of the applicant to perform the essential duties of the job due to medical, psychological or physical impairments, even with reasonable accommodations.

2. **Minimum Requirements:** Failure to meet the minimum requirements for the position as defined in the job description.

3. **Falsification, Deception, Fraud:** Falsification of any material fact or any attempt to practice deception or fraud by the applicant on the application and/or supplements during interviews with a representative of the City during examinations, or during any phase of the employment process.

4. **Nepotism:** Failure to disclose familial relationships are grounds for disqualification and/or discharge.

5. **Closing Date:** Failure to submit an application and/or resume for a position by the posted closing date.

6. **Driving Record:** Failure to meet the City's driving requirements for those positions which require the operation of equipment or vehicles as an essential function of their position. (as prescribed in Chapter 18.04 of the City of Allen's Personnel Policies and Procedures Manual).

7. **Criminal History:** Conviction, deferred adjudication, or placement on probation for a felony or crime where such criminal history represents a risk to the City of Allen or where such history is in conflict with the responsibilities and duties of the job.

8. **Previous Disciplinary Action:** Although not intended to be an exhaustive list, examples of rejection of an applicant include, but are not limited to, the following:
    a. Involuntary termination from previous employer(s) for inadequate performance of duties
    b. Misconduct
    c. Job Abandonment
    d. Attendance Related Problems
    e. Insubordination
    f. Violation of Safety Rules
    g. Theft of Employer Property
    h. Using, Soliciting, or Possessing Alcohol or Drugs While at Work.

9. **Work Schedule:** Inability or unwillingness of the applicant to work the required work schedule.

10. **Incomplete Application:** Failure to complete the application in the manner prescribed. Applicants have the option to attach a formal resume, however, are still required to complete all sections of the application to be eligible for consideration.

11. **Examinations:** Inability to pass all required examinations, including pre-employment screenings.

12. **Other:** Failure to meet any other job-related requirements deemed necessary by the Human Resources Director.

**APPLICANT SCREENING**

All applications must be received through the Human Resources Department. Applications will be screened by Human Resources. Only those meeting the minimum qualifications for the position will be forwarded to the hiring supervisor. If the applicant pool is small, Human Resources will re-post/re-advertise the position another week. For positions that have been posted continuously, it is the hiring supervisor's responsibility to determine whether or not there is an ample pool of applicants and advise Human Resources when to close the posting.

All applications will be forwarded electronically via the on-line recruitment system to the hiring manager for review and consideration.

## DEPARTMENT INTERVIEW

Supervisors will interview applicants and make the final decision for employment based on job-related requirements, qualifications, and reference verification. Human Resources may assist in developing questions and sit in on interviews if desired by the hiring supervisor.
Recruitment packets are available for use during the selection process. The packet will consist of a supervisor checklist, interview tips, suggested interview questions, *Applicant Evaluation* form, *Reference Check* forms, *Hiring Recommendation* form, and *Eligible List* form. Packets are available in the Human Resources department as well as the Human Resources/Recruitment folder on the Common (M:) drive.

## SELECTION PROCEDURES

Supervisors will conduct reference checks using the *Reference Check* form on applicants prior to making a conditional job offer.

Once approved by Human Resources, the hiring supervisor will extend the offer of conditional employment to the successful candidate. Emphasis must be made with regard to the offer that it is contingent upon the results of the applicant's driver's license check, drug screening, criminal history check, physical examination (if required for the position) and the ability to produce documentation that verifies the individual's eligibility to work in the United States as directed by the Immigration Reform and Control Act of 1986.

Applicants will be required to appear at the health clinic designated by the Human Resources department for the pre-employment drug screen within 72 hours of receiving their conditional offer of employment. Failure to comply with this requirement may result in the conditional offer of employment being rescinded. Please ensure that the Human Resources department is notified of the acceptance of a conditional offer so that the applicant can be contacted and the necessary paperwork can be completed for the clinic to process the screening request.

When the supervisor makes the final selection, he/she will document the selection/rejection (job-related) reasons on the *Applicant Evaluation* form, complete the *Hiring Recommendation* form and the *Eligible List* along with all the interview notes for all applicants that were interviewed. These documents need to be forwarded to the Human Resources department. After screenings are completed and results are received, Human Resources will contact the hiring supervisor. If results are favorable, the hiring department can establish a start date for the new employee.

The hiring department is responsible for contacting applicants who were interviewed to notify them that they were not chosen for the position. Human Resources will notify all other applicants. If the results are not desirable, the conditional job offer is retracted.

***Do not allow the finalist to start work until you know the results of the pre-employment background check, drug screen and physical (if applicable). The Human Resources Department will notify the hiring supervisor when the new hire is eligible to begin work.***

**DISCUSSION OF SALARY**

Hiring supervisors do not have the authority to commit the City to employ an applicant above the minimum salary of the range. All requests for a salary higher than the minimum must be approved by the Human Resources Director. Request higher than the mid-point of the salary range must be approved by the City Manager. Hiring managers who seek approval above the minimum salary ***must*** complete a *Hiring Recommendation* form and obtain the required signatures. The Hiring Recommendation form needs to be submitted to Human Resources.

**NEW EMPLOYEE IN-PROCESSING**

It is the hiring supervisor's responsibility to send the new employee to Human Resources on his/her **first** day of work to complete new employee paperwork. This meeting will include the completion of necessary forms to have the employee set up in Payroll.

**NEW EMPLOYEE ORIENTATION**

On the first day of employment, the new employee and his/her supervisor will complete, sign and forward the *New Employee Orientation Checklist* to the Human Resources Department. This checklist will be provided to the employee during their meeting with Human Resources. A formal orientation will be offered to full time employees who are eligible to enroll in the City's benefit plans. Orientation occurs monthly. Invitations will be sent out to eligible employees by the Human Resources department.

**The Human Resources Department is available to answer questions and/or assist supervisors during all phases of the employment process.**

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: HIPAA STANDARDS** | **NUMBER: HR-5** |
| **EFFECTIVE DATE: APRIL14, 2004** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## HIPAA STANDARDS FOR INDIVIDUALLY IDENTIFIED HEALTH INFORMATION

### Purpose

These procedures will be adhered to by all employees of the City of Allen (City) as prescribed by the Healthcare Insurance Portability and Accountability Act (HIPAA) which was enacted by Congress on August 21, 1996. This policy addresses the section of the act entitled, Standards for Privacy of Individually Identified Health Information which was added in 2002 with the City being covered in April 2004. This act ensure the privacy of all protected health information (PHI) and that such information be kept confidential and shall not be released to any party without the consent of the employee, except where otherwise outlined in the law.

The Department of Health and Human Services (DHHS) has outlined regulations which set both monetary and civil penalties for wrongful disclosure of PHI. These penalties may apply to both the organization and/or the individual wrongly disclosing the information. Privacy regulations set forth by the DHHS supersede existing state law, except where state laws are stricter then federal regulations.

All City of Allen employees will be trained in the following procedures. Subsequent training will be undertaken as necessary to make certain all employees operate within these procedures as written or amended.

### Definitions

**Business Associate** – includes anyone that the City of Allen enters into a contract with that may have access to PHI. This may include, but is not limited to business associates, vendors, consultants, and contractors. Business associates also include internal committees and programs.

**De-identified Health Information** – is health information stripped of all PHI. This would include any documentation where the PHI has been removed.

**Designated Plan Sponsor Representatives** - the following individuals will have access to PHI:

1. Privacy Officer and Contact person
2. Risk / Benefits personnel
3. City Manager
4. In-House Legal Counsel
5. Designated IT Staff supporting benefits
6. Others to extent of design or designated by the Privacy Officer

**DHHS Penalties for Exposures** - Civil penalties include a $100 fine per violation, up to $25,000 per person per year. Criminal penalties include up to a $250,000 fine and 10 years in prison.

**Protected Healthcare (Medical) Information**- any individually identifiable health information that is transmitted or maintained in any form, including demographic information collected from an individual, and:

1. Is created or received by a health care provider, health plan, employer, or health care clearinghouse; and
2. Relates to the past, present or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past present or future payment for the provision of health care to an individual; and
3. If the information identifies the individual or with respect to the information there is a reasonable basis to believe the information can be used to identify the individual.

Also included are any other unique identifying numbers, characteristics, or code that could be used to identify healthcare information to a specific person. This information may be in verbal, written or electronic format.

**Note:** None of the above identifiers are protected information by themselves for the purpose of these procedures. This information is only protected when accompanied by employee medical information.

**Qualified Recipients** – are defined as any recipients of PHI who meet the guidelines set forth by DHHS. In order for a recipient to be considered qualified, they must have adopted administrative procedures for the protection of PHI as outlined by the DHHS and meet the guidelines of a covered entity as outlined by the DHHS.

**Procedures**

Section 1 Privacy Officer

The Director of Human Resources will act as the City's Privacy Officer. The Privacy Officer is responsible for working with the Risk / Benefits personnel to ensure that all employee medical information is kept confidential and that any releases of protected medical information is in accordance with Federal and State law as well as ordinances of the City of Allen. The Privacy Officer will be responsible for reviewing all requests for release of protected medical information except those allowed for by law for treatment, payment, and healthcare operations. The Privacy Officer will also

review and respond to all complaints and inquiries in regard to the City's HIPAA compliance efforts.

Section 2 Permitted Uses and Disclosures of Your Protected Health (Medical) Information

**Abuse, Neglect or Domestic Violence** – To the extent required or authorized by law, or with your consent, protected information about you may be disclosed to an appropriate government authority if we reasonably believe you are the victim of abuse, neglect or domestic violence.

**As Permitted or Required by Law** – Information about you may be used or disclosed to regulatory agencies, for administrative or judicial proceedings, for health oversight activities, to law enforcement officials when required to comply with a court order or subpoena, and/or as authorized by and to the extent necessary to comply with workers' compensation laws.

**Authorization** – Other uses and disclosures of protected health information will be made only with your written permission, unless otherwise permitted or required by law. You may revoke, in writing, any such authorization unless we have taken action in reliance of your authorization or it was obtained as a condition of obtaining insurance coverage and other law provides the insurer with the right to contest a claim under the policy.

**Business Associates** – Where it is necessary to help carry out our health care function, we may disclose your information to a business associate and/or allow the business associate to create or receive protected health information on our behalf. In most situations, we must obtain satisfactory written assurance that the business associate will appropriately safeguard the information.

**Correctional Institutions** – Our designated agents or the City of Allen may use or disclose your protected information to a correctional/custodial institution or appropriate law enforcement official if you are an inmate and the disclosure is necessary for your health care and the health and safety of you, other inmates, officers or institution employees.

**For Payment** – Our designated agents or the City of Allen may use and disclose information about you in managing your health care. This may include such functions as premium payments, reimbursing health care providers for service, determining eligibility or coverage of an individual, performing coordination of benefits, adjudicating claims, claims management and/or utilization review activities.

**For Health Care Operations** - Our designated agents or the City of Allen may use and disclose information about you for health care operations. This may include information needed about you to review the quality of care and services you received, to provide case management or care coordination, provide treatment

alternatives or other health related benefits, and/or to perform audits, ratings, and forecasts (as limited by the HIPAA standards).

**For Treatment** - Our designated agents or the City of Allen may use and disclose information about you for treatment purposes. This may include information about you needed for provision, coordination, or management of health care and related services.

**In the Event of Death** – In the event of your death, our designated agents or the City of Allen may disclose your protected information to coroners, medical examiners, and/or funeral directors as necessary to carry out their duties.

**Informational Consent** – We may contact you to provide appointment reminders or information about treatment alternatives or other health related benefits and services that may be of interest to you.

**Minimum Disclosure** – When using, disclosing, or requesting your information we are normally required to make reasonable efforts to limit protected health information to the minimum necessary to accomplish the intended purpose of the use, disclosure or request. This limitation does not apply in situations involving disclosures to you made pursuant to your authorization, to a health care provider for treatment, to the Secretary of Health and Human Services for HIPPA compliance and enforcement purposes, or as otherwise required by law.

**Public Health Activities** - Information about you may be disclosed to appropriate public health authorities for the purpose of preventing or controlling disease, injury or disability, reporting child abuse or neglect, and/or to assist the Food and Drug Administration in tracking products and defects/problems as well as enabling product recalls and conducting post marketing activities. Information about you may also be used or disclosed if we reasonably believe that the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public.

Section 3 Routine Disclosures and Requests of Protected Health Information

The City of Allen generally discloses PHI only in furtherance of providing the medical and/or dental benefits described in the health plan. The health plan discloses PHI to process requests for payment, to respond to eligibility and benefit inquiries from providers and for other reasons related to the operations of the specific benefit plan. The health plan contracts with business associates to perform various services and to perform certain specified functions, such as the administration of claims, member services support, utilization management, subrogation, pharmacy benefit management, and other similar functions. The health plan uses these business associates to receive, create, maintain, use and disclose relevant PHI for the purpose of treatment, payment of health claims, and health care operations.

Periodically, the City of Allen may request proposals from insurance and stop-loss companies to ensure the continued viability of our health plans. In the course of

developing proposals, specific PHI is required by the carriers. All carriers that request or receive PHI for these reasons will be considered business associates and, as such, will comply with the rules set forth in this administrative procedure for business associates.

Section 4 Judicial, Administrative and Governmental Disclosures

Disclosures of PHI may be made in response to a court order or administrative tribunal providing only the PHI expressly authorized by the order. In response to a subpoena, discovery request, or other lawful process that is not accompanied by an order of a court or administrative tribunal, the City must receive satisfactory assurance from the party seeking the information that the employee has been given notice of the request. Satisfactory assurance means that the requesting party has mailed a written notice to the employee's last known address or the requesting party provides a written statement demonstrating that notice was given and that it contained sufficient information about the litigation or proceedings in which the PHI is requested. PHI may also be given in the event the City needs to respond to authorized public health requests, for the purpose of health oversight activities and/or for the purpose of DHSS enforcement of Privacy Regulations.

Section 5 Retention of Documentation

Documentation required by the Privacy Regulations shall be maintained for six (6) years from the date a document is created or the date when it was last in effect, whichever is later. If the electronic copy is not available or actual paper copies are required, the paper copies must be securely maintained for the required six (6) years. The Privacy Officer shall maintain a list of documents that must be retained in paper form.

Required documentation shall be entered in the electronic database and retained for six (6) years from the date the document was created or the date it was last in effect, whichever is later, beginning with the required compliance date of the Privacy regulations.

Section 6 Security and Privacy of PHI

It is important that all PHI be kept confidential and secure. Employee medical information will be kept confidential and not be reported to anyone (verbally or written) except for patient treatment, billing, healthcare operations, and what is allowed by law and included in this procedure. Likewise, all PHI either written or electronic will be kept secured to ensure others who do not have a need to know cannot access it. The following procedures will be used to make sure all PHI both written and electronic remain private and secure:

1. Keep all written PHI and employee reports stored in a manner in which others who do not have a need to know cannot read them.

2. All medical information will be kept in the locked file cabinets in Human Resources.
3. All written materials that contain PHI and are not included as part of the official employee medical file will be shredded before disposal.
4. All original employee reports will be shredded and destroyed by an appropriate method once the maximum required 6 year retention scheduled has been reached.
5. All electronic employee reports will be kept in a manner that will insure privacy and security of PHI. All software that is used to access PHI will be password protected.
6. Documents containing PHI shall not be left out on desks or in other areas where there is significant danger of inadvertent disclosure.
7. At the end of the work day documents containing PHI will be left in a secure location.
8. Personnel with access to electronic PHI will ensure that they are logged off before leaving their workstations
9. Envelopes will no longer be opened to determine the destination of the document. All sealed envelopes that staff involved in sorting cannot identify will be routed to Human Resources. These documents will be evaluated for PHI and sent to the appropriate individuals. This processed will alleviate the potential danger of an inadvertent disclosure.

All inquiries about PHI and all other requests, subpoenas, subpoenas duces tecum, and requests containing authorization should be immediately forwarded to the Privacy Officer.

Section 7 Telephone, Fax, and E-mail Policy

It is recognized that within the scope of business practices it is routinely necessary to transmit PHI over the telephone, fax machine, and through e-mail. Safeguards must be taken to protect PHI from those who do not have a need to know. Persons, who request information via telephone contact, should be verified as someone with a need to know before the release of any PHI. The individual will be asked to supply personal identification information to verify they are who they say and information on the employee to verify they know the employee. They must know the employees Social Security Number, drivers licenses number, address and phone number at a minimum. A written release authorization will be required before the information is released, unless the requester is the covering insurance carrier. If the identity of the member is suspect, no PHI will be disclosed.

All faxes and emails that contain PHI will be verified twice as to the intended recipient. Both fax cover sheets and endings to emails that contain PHI will contain an approved confidentiality statement in the event the fax or email is inadvertently received by an individual who does not have a need to know. The printed

confirmation of each outgoing transmission that includes PHI will be used to ensure that the destination matches the intended recipient and will be maintained as the documentation of the time and date of the transmittal, the intended recipient, its contents and the fax number at which it was confirmed to have been sent. If a document is inadvertently faxed to the wrong fax number, attempts to retrieve the fax will be taken; additionally it will be documented that the fax was misrouted and what steps were taken to prevent a reoccurrence of the error. All fax machines that could be used to send or receive PHI will be physically located in spaces that are not accessible to the public or by other employees of the City of Allen not covered by a confidentiality agreement.

Section 8 Notice of Privacy Practices

A HIPAA required Notice of Privacy Practices will be posted throughout each facility. The City of Allen will also (as required by law) give the employee a copy of the required HIPAA Notice of Privacy Practices and receive a signature from the employee acknowledging receipt of the notice. If the employee is unable or unwilling to sign an acknowledgment of receipt, the City will document UTO (unable to obtain) on the signature of acknowledgment blank.

The complete Notice of Privacy Practices will be made available to an employee who requests a copy at any time. The complete notice will also be posted on the City of Allen's Intranet web site as required by law.

Section 9 Disclosures to Employees in Furtherance of Treatment, Claim Adjudication, Pre- Certification, and Other Payment Issues

Generally the City of Allen may use, disclose, and discuss an individual's PHI with the individual; the exceptions being psychotherapy notes and certain institutional requests. An authorization form will need to be completed if the employee requires further help from the City about a claim. If the employee is requesting the City's help, the following information must be provided, Provider's name, date of services, member number, and member's date of birth.

Section 10 Employee Privacy Rights

Employees should be given a Notice of Privacy Practices and must acknowledge receipt of it. Authorization forms (medical releases) should be completed for non-routine use of PHI. An authorization will also be requested if the City of Allen is asked to inquire on an employee's behalf. Employees have the right to:

1. Access their health record
2. Receive an accounting of certain employee information disclosures
3. Request an amendment of their record
4. Request restriction on use and on method of communicating
5. You cannot be forced to waive your rights established by the privacy regulations.

Section 11 Employee Information Disclosures

Consent or authorization will not be obtained for the use and disclosure of PHI to carry out treatment, payment, or healthcare operations. When the use and disclosure of PHI is not for treatment, payment or healthcare operations, or otherwise permitted or required by law without an authorization, the City will obtain a valid authorization form from the employee prior to using or disclosing PHI. There will not be a release for employer mandated activities, such as work place drug testing, workers' compensation, ADA or OSHA.

Employees have the right to receive an account of certain disclosures of the employee's PHI. The employee must make their request in writing. Each disclosure of protected health information other than for treatment, payment, and healthcare operations will be documented in a database for future accounting requests. The accounting to the employee will:

1. Be in writing
2. Include the dates of disclosure and to whom the information was sent
3. Describe what information was sent
4. State the purpose of the disclosure

Certain disclosures may be withheld from the accounting as provided by law.

Section 12 Access and Amendment of Employee Medical Record

Employees have the right to request in writing a copy of their PHI maintained in designated records sets. The designated records set shall generally only include claims history, payments, benefits and eligibility. An employee has a right to access, inspect and obtain a copy of PHI about said employee for as long as the PHI is maintained in the designated records set with the exception of:

1. Psychotherapy notes
2. Information complied in reasonable anticipation of or for use in civil, criminal or administrative action or proceeding or
3. PHI that is subject to or exempt from the Clinical Laboratory Improvement Amendments of 1988, pursuant to 42 CFR 493.3(a)(2)

Employees may submit a written request to the Privacy Officer. If the requested information is on site, the request will be honored or denied within thirty (30) days of receipt. If some or all information is not on site or is maintained by a business associate, the request will be honored or denied within sixty (60) days. The Privacy Officer shall send a written notice to the employee accepting or denying the request. The written notice shall be maintained in accordance with the retention of documents section within this policy.

The Privacy Officer will establish the amount of the charge for copying the requested information, if there is to be a charge. If established, the charge shall be based only on actual costs. The Privacy Officer will communicate to the employee the charge

for copying the requested information. The established charges shall be reviewed at least annually to verify they are reflective of actual costs.

The employee may request in writing that their medical files be amended. The Privacy Officer may deny the employee request if the City was not the originator of the information, or the City believes the information is/was accurate at the time the information was acquired. If the employee's request is denied an explanation will be provided to the employee and noted in the file. The employee may contest the denial and request that a separate explanation be added to the medical file.

If the Privacy Officer accepts an amendment, the record set that contains the PHI requested, will be identified and the amendment will be made. The employee will be notified of the amendment and asked for the names and addresses of persons to whom the information should be sent. The information will then be sent to the employee and other relevant persons and business associates.

The Privacy Officer will maintain a log of all requests for amendment and the applicable resolutions. If another covered entity sends amended PHI, the Privacy Officer will ensure that the all appropriate and necessary steps are taken to amend the PHI that is kept in the City's designated record sets.

Section 13 Employee Requested Restrictions on Use and Disclosure

The employee may request restrictions regarding disclosure of their protected health information beyond those restrictions already imposed by the government. A log will be used to monitor and maintain requests on use and disclosure of PHI.

The Privacy Officer shall be responsible for determining the reasonableness of all requests and for communicating in writing the decision on such request. If the request is accepted, the Privacy Officer must document such restrictions and maintain it in accordance with the retention of documentation section of this policy and take the appropriate and necessary steps to ensure that the health plan complies with the restrictions. The Privacy Officer may terminate a restriction if the member requests or agrees (in writing or orally) to terminate the restrictions or the Privacy Officer informs the member that the restriction is terminated with respect to PHI received or created after the effective date of the termination.

Section 14 Restrictions on Confidential Communications Method with Employee

The City of Allen will accommodate, if practical, an employee's request to communicate by alternative means. The employee is not required to explain why he/she wants such an alternative means of communication. An agreement to use an alternative communication channel will be documented and included in the employee's medical file. A member may request in writing confidential communication if the disclosure of PHI could endanger the member. The written request shall be sent to the Privacy Officer and must specify the alternative address or alternative means for confidential communication. The Privacy Officer will take

the appropriate steps to ensure that the plan complies with any approved requests for confidential communications.

Section 15 Supervisory Responsibilities

A supervisor, who is asked by a subordinate or other employee about a claim, must not become involved in the issue unless the employee signs an authorization form. Instead, the supervisor should refer the employee to the Risk / Benefits representatives in the Human Resources Department.

Section 16 De-identification of Information

The privacy rule applies to "individually identifiable health information" and not to de-identified information. The Rule states *that one can share a de-identified record with anyone, anytime, and for any reason*. To comply with the Rule, all PHI identifiers, will be deleted before the health information is shared with anyone other than those that are approved under the law.

Section 17 PHI Confidentiality Agreement

All employees of the City of Allen who have access to protected health information will be required to complete a PHI Confidentiality Agreement. This agreement certifies that they have read, understand, and will comply with the City's Procedures for Patient Healthcare Information Privacy and Security.

Section 18 Business Associate Agreement

All vendors who do business with the City of Allen and have access to PHI will be required to enter into a Business Associate Agreement. HIPAA requires this agreement before any PHI can be given to a vendor. A separate agreement can be utilized or an existing contract with the vendor can be modified to fulfill this requirement. A database will be compiled and maintained by the Privacy Officer of all vendors who have access to the Department's PHI.

Each business associate will adopt privacy policies and procedures acceptable to the City. These policies and procedures will be referenced in the contracts or agreements and must be approved by the Privacy Officer. It is reasonable to presume the PHI requested by a business associate is the minimum information necessary required to perform the business associates tasks. Each business associate agreement or contract will contain on obligation to use PHI only for the purpose and functions required and only as long as there is a relationship with the City. The Privacy Officer will review annually the business associate's policies and procedures regarding recurring information disclosures for appropriateness and to ascertain that the minimum

Section 19 Effect on Other Health Care Information

Neither HIPPA nor this policy affect PHI required for life insurance, disability insurance, workers' compensation, or employment records; such as, records of

absence or tardiness for health reasons, Family Medical Leave Act records, or record reflecting a need for reasonable accommodations pursuant to the Americans with Disabilities Act.

Section 20 Training / Education

Training and education guidelines will be set to ensure that all City personnel are aware of their responsibilities under the new regulations. All current employees will be educated on the procedures affecting the release of PHI and how they will give consent for the release of PHI. Additionally, guidelines will be set to educate new employees and to update current employees regarding changes in the regulations and amendments to current legislation. Employees will also be trained on tracking and auditing procedures as well as penalties for wrongful disclosure.

Section 21 Privacy Violations

The following privacy violations may result in disciplinary action up to and including termination and may also result in civil or criminal penalties.

1. Unauthorized use or disclosure of PHI
2. Attempting to make an unauthorized discovery of PHI
3. Failing to mitigate the unauthorized disclosure of PHI
4. Retaliating against or intimidating an individual who exercises his or her privacy rights, files a complaint with the DHHS concerning HIPPA privacy violations, participates in a HIPPA privacy violation or participates in a HIPPA privacy compliance review
5. Requiring an individual to waive his or her rights to file a complaint of a HIPPA privacy violation
6. Destroying privacy policies or procedures that are less than six (6) years old
7. Sharing PHI with anyone who does not have the legal authority or the need to know the information to fulfill his or her job responsibilities
8. Removing PHI from the work area without authorization
9. Failing to comply with the City's policies and procedures regarding PHI
10. Failing to report any unauthorized use or disclosure of PHI to the Privacy Officer.

Section 22 Sanctions and Mitigations

It will be the responsibility of all personnel to make sure the Employee Healthcare Privacy and Security Procedures are adhered to at all times. It will be the responsibility of the Privacy Officer to spot check on a regular basis for compliance of these procedures. It will be the Privacy Officer's responsibility to coordinate disciplinary actions for any employee who is found to be in violation of these procedures

An employee that violates this administrative directive may receive disciplinary action up to and including termination. The Privacy Officer will document and maintain any sanctions that are imposed pursuant to the Retention of Documentation scheduled within this document.

The City of Allen will not retaliate against any employee who files a complaint with the Secretary of DHHA pursuant to Privacy Regulations, testifies or assists in an investigation, compliance review or hearing regarding the City's compliance with the Privacy Regulations or for opposing any act or practice the employee believes, in good faith, is a violation of the law, if the opposition is reasonable.

The City of Allen will take the appropriate and necessary steps to limit the harm of a use or disclosure by an employee or business associate in violation of this administrative directive or of the Privacy Regulations.

Section 23 Amendments to Directive

As part of the DHHS regulations, this directive may be amended at any time due to changes in corresponding City of Allen policy or by changes made by DHHS. If at any time, new state laws become stricter than the current federal legislation, this directive will be amended to reflect those laws. New procedures or amended procedures may be put into place as business associates and practices change. Training will be conducted as changes warrant.

Section 24 Complaints

If an employee is concerned their privacy rights have been violated, or they disagree with a decision that has been made about access to their medical records, they may contact the City's Privacy Officer or mail the complaint to:

City of Allen
Attn: Privacy Officer/Human Resources
305 Century Parkway
Allen, Texas 75013

The employee may also send a written complaint to the U.S. Department of Health and Human Services. All complaints to the City of Allen will be logged into a computer database for documenting and tracking compliance issues with HIPAA.

Note: The City of Allen retains the right to change these procedures at any time. Before a significant change is made in these procedures the City's Notice of Privacy Practices will be updated and posted in all facilities. Employees can obtain a new notice at any time by contacting the above address or by visiting the City of Allen's Web Site at www.cityofallen.org

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: P.R.I.D.E. PROGRAM** | **NUMBER: HR-6** |
| **EFFECTIVE DATE: MARCH 11, 2009** | |
| **AMENDS/SUPERSEDES: APRIL 18, 2003** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

# P.R.I.D.E. PROGRAM

## City Mission

*To achieve excellence in managing development of the community and in providing city services so that conditions of living and public confidence are continually enhanced.*

## Vision Statement

*The City of Allen is dedicated to providing efficient quality services by working in partnership with its citizens, neighborhoods, and businesses to enhance the quality of life and to create a safe, healthy, vibrant community in which to live, work, play and visit.*

## Organizational Purpose Statement

*Serving with P.R.I.D.E.*

This program is being established to recognize and reward employees who go the extra mile to provide professional, quality customer service. "P.R.I.D.E." is a concept and an attitude. Simply stated, "P.R.I.D.E." is:

P – *People First*: We will display selflessness by giving priority to the needs of citizens, co-workers, and employees.
R – *Respect*: We will treat others with courtesy and dignity by valuing their ideas, opinions, needs, and differences.
I – *Integrity*: We will serve with honesty, trust, fair play, and hard work, and we will be accountable for our actions.
D – *Deliver*: We will follow through on commitments to self, staff, and the community, and exceed their expectations.
E – *Excel*: We will create a work environment that stimulates innovation and continuous improvement.

## Eligibility

All full and part-time personnel are eligible to participate in the "P.R.I.D.E." program.

"P.R.I.D.E." Goals

To achieve the desired results, the "P.R.I.D.E." program will focus on the following goals:

Boost employee morale and motivation.
Promote quality customer service.
Instill a sense of "P.R.I.D.E." in quality work.
Foster staff teamwork and spirit of cooperation.
Improve the quality of work and increase productivity.
Reinforce behaviors and actions that are valued by the City.
Demonstrate City Employee "P.R.I.D.E." and attitude to the citizens of Allen.

Awards Program

The program shall consist of individual awards, described below, as well as specific events to encourage participation (and recognition) of team members at the highest level possible. However, receiving one of the level awards does not preclude recognizing the achievement with an Annual "P.R.I.D.E." award.

Level 1. "P.R.I.D.E. On the Spot" Recognition (Ongoing)

a. Purpose – "P.R.I.D.E. On the Spot" recognition provides immediate awareness of an achievement to employees who demonstrated "P.R.I.D.E." This recognition also "launches team members" forward for the higher level awards of 2 and 3.

b. Eligibility – All employees are eligible to receive "P.R.I.D.E. On the Spot" recognitions.

c. Nominations – Employees presenting a "P.R.I.D.E. On the Spot" recognition shall complete the P.R.I.D.E. recognition form and contact their department's "On the Spot" contact to select a "Candy-Gram" to be immediately presented to the recipient along with a copy of the recognition form. Each department's "On the Spot" contact shall forward a copy of the recognition form to the Human Resources Department in order to participate in further P.R.I.D.E. awards.

d. Timeline - Immediate

e. Criteria –

- For someone that has been a "lifesaver" to another employee or a citizen of Allen.
- For someone that has saved the City money.
- For someone who helped out in a crunch.

- For the members of a great team who completed a special task, done correctly and on time.
- For someone who shows a “can-do” attitude.

f. Type of Award

1. Recipients will receive a P.R.I.D.E. recognition form from their fellow worker. These forms are intended to be the initial document that gets nominations into the “P.R.I.D.E.” awards system for levels 1, 2 and 3. Each department will have an “On the Spot Contact” who will keep extra recognition forms and provide the “Candy-Gram” to the nominator to present to the recipient of the “On the Spot” recognition.

2. For each “On the Spot” recognition, the employee will also receive one entry for a drawing of special door prizes at the Annual Banquet. Once the “P.R.I.D.E.” recognition forms are delivered to HR, the drawing entry stub at the bottom of the nomination form will be cut off and placed in the annual drawing contest. Employees must be present at the annual awards banquet to win a special door prize. The “P.R.I.D.E.” Team will also prepare a list of each department’s recognition recipients for each department’s director.

Level 2: “You Showed P.R.I.D.E.” Awards (Monthly)

a. Purpose - “You Showed P.R.I.D.E.” awards are intended to recognize, on a monthly basis, the employee within each department group who has best demonstrated “P.R.I.D.E..”

b. Eligibility – All “On the Spot” recipients from that month, except Department Directors, are eligible for the “You Showed P.R.I.D.E.” awards. An individual may receive this award only once during a calendar year.

c. Nominations – Nominations are the “P.R.I.D.E. On the Spot” Recognitions forms from that month. Once each month, department directors or designated groups of department directors, will select one employee within the department or department group and the “P.R.I.D.E.” Team will present the award.

d. Timeline - Directors of departments and department groups must review. Select, and notify the “P.R.I.D.E.” Team Chair of the name of the award recipient for the “You Showed P.R.I.D.E.” award by the 15th of the next month.

e. Criteria – The directors of the department or those in a department group will meet informally to select from among the “P.R.I.D.E. On The Spot” recipients the employee that most strongly or uniquely demonstrated the characteristics of “P.R.I.D.E..”

f. Type of Award – Employee's choice of movie passes or a home movie pack (valued at $15)

Level 3. "Dinner with P.R.I.D.E." Awards (Quarterly)

a. Purpose - "Dinner with P.R.I.D.E." awards are intended to award, on a quarterly basis, the employee within each department or department group who has best demonstrated "P.R.I.D.E.."
b. Eligibility – All "On the Spot" recipients from that quarter, except Department Directors, are eligible for "Dinner with P.R.I.D.E." awards. An individual may receive this award only once during a calendar year.

c. Nominations – Once each quarter, department directors or designated groups of department directors, will consider the recipients of the three monthly "You showed P.R.I.D.E. Awards" and "P.R.I.D.E. On the Spot" award nominations to present this higher award to one employee within the department or department group that best demonstrated P.R.I.D.E.

d. Timeline- Directors of departments and department groups must review winners of the three monthly "You Showed P.R.I.D.E." awards and "P.R.I.D.E. On the Spot" award nominations, select, and present the quarterly Dinner with P.R.I.D.E. award by the 15th of the next month.

e. Criteria – Must have received a "P.R.I.D.E. On the Spot" award and may have been selected as a recipient of one of the three monthly "You showed P.R.I.D.E." awards.

f. Type of Award – The chosen employees will be awarded a $20 gift certificate to a local restaurant.

Level 4. "Day of P.R.I.D.E." Awards (Semi-Annual)

a. Purpose - To reward up to 3 employees semi-annually in recognition of a special achievement within or outside of an employee's job responsibility that exceeds normal job performance requirements and results in verifiable, significant tangible or intangible benefits to the City of Allen.

b. Eligibility – All employees of the City of Allen, except Department Directors, are eligible for this award. An individual may receive this award only once during a calendar year.

c. Nominations - Employees will turn in nominations to their department's administrative assistant on a "Day of P.R.I.D.E." nomination form according to the deadline provided. Each department grouping of directors will then select one nominee to forward to the Awards Committee. The Awards Committee will consist of three directors who will make the final selection of the winners. Following are suggested guidelines in considering nominees:

1. Decide when a “Day of P.R.I.D.E.” award is appropriate recognition.

2. Consider all qualified employees and recommend all deserving employees for a “Day of P.R.I.D.E.” awards based on established criteria and procedures.

3. Initiate “Day of P.R.I.D.E.” recommendations as soon as possible after employee showed “P.R.I.D.E.”

4. Forward the completed nomination form to the department’s administrative assistant who will then forward them to the Human Resources Department.

d. Criteria – The following examples should be considered when nominating an employee for the “Day of P.R.I.D.E.” award.

    1. Making a high-quality contribution involving a difficult or important project or assignment;

    2. Displaying special initiative and skill in completing an assignment or project before the deadline;

    3. Ensuring the mission is accomplished during a difficult period by successfully completing additional work or a project assignment while maintaining the employee's own workload;

    4. Using initiative and creativity in making improvements in a product, activity program, or service.

    5. Providing exceptional service to a customer by demonstrating unusual creativity, resourcefulness, or sensitivity in meeting the customer's requirements;

    6. Developing new procedures or guidelines that improve the quality of services provided to the customer and increasing the customer's perception of satisfaction.

    7. Other comparable employee achievements.

e. Type of Award – Each selected employee will receive a day off with pay. (A day off is defined as a normal work day.) The employee is responsible for requesting supervisory approval to schedule and use a “Day of P.R.I.D.E.” award. To the extent possible, it should be used within 90 calendar days from the effective date, but no later than one year from the effective date. Employees may never convert a “Day of P.R.I.D.E.” award to a cash payment. An individual may receive this award only once during a calendar year.

Level 5. "Excellence in P.R.I.D.E." Awards (Annual)

a. Selection Panel

1. The selection panel shall consist of seven members. Five of the members shall be the winners of the previous year's awards and two P.R.I.D.E. Committee members. The "P.R.I.D.E." Chair and Vice Chair shall appoint two of the Committee's members to serve on the selection panel. If one of the previous years' winners is unable or unwilling to serve, a winner from the year before may be selected to serve as a member of the panel.

2. The selection panel shall serve for one year.

3. The selection panel will include a non-voting coordinator from the Human Resources Department and/or designee.

4. The selection panel will review the nominations and recommend two viable nominees per award category to the City Manager. The City Manager will make the final selections.

b. Nomination Process

1. All nominations shall be submitted on an electronic "Day of P.R.I.D.E." Nomination Form according to the deadline established by the Human Resources Department. Nominations may be submitted by any employee. If a staff member prefers to complete a form by hand, each department's Senior Administrative Assistant, Administrative Assistant, or PRIDE Committee member can enter the information into the PRIDE on-line form.

2. The achievement on which a nomination is based should have started, occurred, or have been completed within the calendar year prior to the nomination submission deadline.

3. Nominations should provide accomplishments beyond normal job expectations. Items should be noted that demonstrate outstanding performance, dedication and integrity to the City (this may include a single outstanding activity but should give emphasis to a distinguished career of sustained exemplary performance).

c. Criteria – The following examples should be considered when nominating an employee for an "Excellence in P.R.I.D.E." award.

1. Making a high-quality contribution involving a difficult or important project or assignment;

2. Displaying special initiative and skill in completing an assignment or project before the deadline;

3. Ensuring the mission is accomplished during a difficult period by successfully completing additional work or a project assignment while maintaining the employee's own workload;

4. Using initiative and creativity in making improvements in a product, activity program, or service.

5. Providing exceptional service to a customer by demonstrating unusual creativity, resourcefulness, or sensitivity in meeting the customer's requirements;

6. Developing new procedures or guidelines that improve the quality of services provided to the customer and increase the customer's perception of satisfaction.
7. Other comparable employee achievements.

d. Categories of “Excellence in P.R.I.D.E.” Awards

1. “People First Award”
   The successful nominee in this category will be a dependable employee who has provided exceptional customer service to the public and other City employees.

2. “Respect Award”
   The successful nominee in this category will be an employee who has demonstrated respect and commitment to public and/or City staff. This employee goes beyond the expected behavior by displaying genuine concern for each person in each situation.

3. “Integrity Award”
   The successful nominee in this category will be to an outstanding employee, whose level of integrity, ethics, and community service are of such high quality that they tend to set the example for the rest of the City staff.

4. “Deliver Award”
   The successful nominee in this category will be to an employee who has demonstrated their commitment to a customer driven program and sets the standard for the customer service initiative of the City of Allen.

5. "Excel Award"
   The successful nominee in this category will be to an employee who uses the work environment to stimulate innovation and continuous improvement among their fellow employees.

e. Types of Awards

Recipients of the Annual "Excellence in P.R.I.D.E." Awards shall receive a trophy. All award recipients and nominees will be recognized by the City Manager and Mayor at the Annual Employee Awards Banquet. Award recipients will be recognized in the "Employee Hall of P.R.I.D.E." exhibit for the entire year.

Promotion/Publicity

To increase employee understanding of the program and its goals, and to encourage employees to participate, an informative brochure and supplemental marketing materials will be developed. Procedures and forms to be used for the awards will be made readily available and distributed to each department and satellite office.
Each of the awards shall be publicized through the Employee Newsletter, at the Annual Awards Banquet, and within each of the departments on bulletin boards. Annual award winners shall be showcased in the lobby of City Hall for a period of one year, and replaced by the following year's award winners. A news release will be submitted to local news media to increase publicity of City employees.

All employee events shall be covered under the "P.R.I.D.E." program. This includes but is not limited to the Employee Day at the Park, Employee Appreciation Week (expanding the current Administrative Secretaries Day to include all employees), and the Employee Awards Banquet. At least two members of the "P.R.I.D.E." Team Committee will serve on each of the employee event committees.

P.R.I.D.E. Committee –

A committee, made up of City of Allen employees, is responsible for coordinating the employee recognition and reward aspect of the P.R.I.D.E. program, by administering and reviewing the policy to ensure it accurately reflects the City of Allen's organizational values of People First, Respect, Integrity, Deliver and Excel. The committee should reflect individuals within all departments of the organization.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: SEPARATION PROCESSING** | **NUMBER: HR-7** |
| **EFFECTIVE DATE: FEBRUARY 18, 2004** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## SEPARATION PROCESSING

### I. SCOPE

This section covers all separations of employment, including resignation, reduction in force, and dismissal.

### II. DEFINITIONS

*Personnel Action Form*: The City form that documents changes in personnel status, including hiring, transfers, and separations, etc.

*Separation*: Any action that ends an employee's tenure with the City, including resignations, reductions in force, dismissals, etc.

*Separation Packet*: A collection of forms and information dealing with benefits and pay that the employee reviews and fills out prior to separation

*Supervisor*: An employee direct supervisor or designated by Department Head

### III. PROCEDURE

1. The employee gives notice of resignation, or is notified of their termination

2. The employee's supervisor will pick up or request a Separation Packet

3. On the employee's last day of work, the supervisor and employee will fill out their respective portions of the Separation Packet. The employee will fill out the forms in the Separation Packet. The employee agrees to return all City property.

4. On the employee's last day of work, the employee's supervisor will collect all City property issued to the employee, including identification badge, keys, tools, phones, pagers, manuals, protective equipment, etc.

5. The Information Technology Department will invalidate any computer passwords issued to the employee and take any other steps necessary to remove the employee's access to the City network.

6. Employees have the option to set up an exit interview with a member of the

Human Resources Staff.

7. After completion of the Human Resources forms, and at the end of the exit interview (if scheduled) the former employee can leave the work site.

## IV. EMPLOYEES LEAVING WITHOUT NOTICE

1. The employee's supervisor will notify Human Resources of job abandonment after three consecutive unauthorized absences. The Human Resources Department will send the employee a letter notifying them of the City's policy of job abandonment and the fact that their employment with the City has been terminated.

2. The supervisor will fill out their part of the Separation Packet and return it to Human Resources

3. Human Resources will complete their paperwork to allow a request for staff to be submitted and the position be declared open

4. The Information Technology Department will invalidate any computer passwords issued to the employee and take any other steps necessary to remove the employee's access to the City network.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: SOCIAL MEDIA USE** | **NUMBER: HR-8** |
| **EFFECTIVE DATE: OCTOBER 15, 2010** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## SOCIAL MEDIA USE

### 1. PURPOSE

This administrative directive outlines the protocol and procedures for use of social media to publicize official city services and events. In addition, this directive addresses the responsibilities of individual employees and city staff with regard to social media and the use of city resources (time/equipment), as well as responsibilities related to public records.

### 2. DEFINITION

For purposes of this policy, "social media" shall mean official City of Allen websites and all forms of on-line community activities such as on-line social networks (e.g. Facebook, MySpace), professional networking websites (e.g. LinkedIn), message boards (e.g. Twitter), video sharing (e.g. YouTube), blogs, Wikis, chat rooms and on-line forums.

### 3. COVERAGE

This policy applies to all city departments and employees, including contract/temporary employees.

### 4. OFFICIAL CITY SOCIAL MEDIA SITES

4.1 Official social media sites/pages representing the City of Allen will be the property of the City of Allen. Accounts must be registered through the Public and Media Relations Office.

4.2 The Public and Media Relations Office will be responsible for oversight of the City of Allen's social media formats to include:

4.2.1 Authorizing social media formats.

4.2.2 Maintaining a list of social media domains, account logins and passwords and changing passwords if an employee is no longer designated to update content on a social media site(s).

4.2.3 Monitoring site activity and ensuring content is in line with the goals and objectives of the city.

4.3 Social media formats must meet one or both of the following purposes:

4.3.1 Provide residents of Allen information about City events, activities and issues.

4.3.2 Promote the positive aspects of the City of Allen to those in and outside the community.

4.4 The city's website, www.cityofallen.org, will remain the official location for content regarding city business, services and events. Whenever possible, links within social media formats should direct users back to the city's website for more information, forms, documents or on-line services necessary to conduct business with the City of Allen.

4.5 City departments desiring to establish a social media site/page must obtain written permission from the Public and Media Relations Office (PAMRO). In the absence of the Interactive Media Manager, the Marketing Specialist, under the direction of the City Manager, will administer all official city social media sites. Requests to the Public and Media Relations Office must include:

4.5.1 Purpose for the site and intended content to be posted/shared including the primary audience to be served;

4.5.2 Indication of how often the site's content will be reviewed and updated to ensure material accuracy and appropriateness;

4.5.3 Identification of individual(s) responsible for managing/overseeing and corresponding with the public (employee's name and position must be included) as well as indicating what provisions will be made if the responsible party leaves the position or is absent.

4.6 Only designated department employees approved by the Public and Media Relations Office will have authority to publish content on official social media sites/pages of the City of Allen.

4.7 Departments are responsible for responding to public commentary, inquiries or complaints. Responses must be approved by the Department Head or Division Manager.

4.8 Communication through social media is a public record. Both the posts by City employees and any feedback by others will be part of the public records of the City of Allen and will be subject to the Texas Public Information Act (Chapter 552 of the Texas Government Code). Designated department employees posting content on these sites will be responsible for maintaining copies of content posted to comply the City of Allen Records Management Program.

4.9 Content posted by "friends," "followers" or "fans" will not constitute a representation, agreement or endorsement on the part of the City of Allen. The City of Allen Public and Media Relations Office reserves the right to delete any comment or posting that is deemed inappropriate, malicious, offensive, threatening, profane or insulting. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, disability, national origin or sexual orientation will not be permitted. Users who violate these guidelines may be blocked from posting commentary to City of Allen social media sites/pages.

4.10 Any comments posted by external parties on City of Allen social media sites are not official public testimony concerning any project or program. An opinion expressed on a City of Allen page is posted for discussion only and is not a substitute for a formal statement in a public hearing process.

4.11 If a question arises regarding the use or posting of confidential information (e.g. litigation, investigations, etc.) on a social media site, the matter shall be referred to the City Attorney for review. The information in question shall not be posted, or if already posted, shall be removed until an opinion is rendered by the City Attorney. The City Manager or designee reserves the right to restrict or remove city information from an official city social media site if the City Manager believes that the information does not serve the best interests of the city.

4.12 Each Official City of Allen Social Media Site/Page, must include a Disclaimer that contains the following information:

"*The City of Allen maintains this social media site/page to provide information and promote City of Allen programs, services, policies and objectives. It is the City's goal to keep the most current and accurate information available to the public on this site, however, varying events can occur that could affect the timeliness of the information and the accuracy of the content.*
*Comments posted on this site by "friends," "fans," or "followers" will be monitored and any postings or comments that are disrespectful, offensive, dishonest, or do not accurately reflect the views, values or objectives of the City of Allen will be deleted without notice.*
*This site/page may contain links to other Internet sites and resources as a convenience to the viewer. Linked sites/pages are not under the control of, nor maintained by, the City of Allen and the City is not responsible for the content of these sites. In addition, the inclusion of a linked site/page does not constitute an endorsement or promotion by the City of Allen.*"

4.13 Any unsolicited or unauthorized advertising or promotional materials of non-City services or programs, with the exception of organizations partnered with the City, will not be permitted.

## 5. APPROPRIATE USE

The lines between public and private, personal and professional can become blurred in on-line social networks. With that in mind, below are guidelines for use by City employees when participating in social media.

### 5.1 Use of Social Media at Work

5.1.1 Social media access and use involving City equipment and resources are subject to the City's Management Information Systems Policies and Procedures (*Administrative Directive Number: IT-1*).

5.1.2 All city-related communication through social media outlets should remain professional in nature. Incomplete, inaccurate, inappropriate, threatening, demeaning, harassing or poorly worded postings may be harmful to other employees, damage employee relationships, create hostile working environments, violate City of Allen policies or harm the City's reputation. Such wording will be removed by the Public and Media Relations Officer at his/her discretion. Employees bear full responsibility for the material they post on social media sites. Inappropriate usage of social media can be grounds for disciplinary action, up to and including termination.

5.1.3 Public messages relating to City of Allen activities on social media sites and/or any messages that might act as the "voice" or attempt to reflect the views of the City of Allen must be approved by the Public and Media Relations Officer.

5.1.4 Employees may not ignore copyright laws, cite or reference sources inaccurately. Plagiarism is prohibited.

5.1.5 All information published on social media sites must comply with City of Allen's privacy and/or data policies. This includes comments, pictures, video, audio or any other multimedia posted on social networking sites, blogs, and forums.

5.1.6 Media inquiries generated on social media sites should follow the protocols set forth in the Media Relations Policy (*Administrative Directive Number: PAMRO-7*).

5.1.7 Employees are discouraged from discussing information about the City's employees, citizens, vendors, issues, business, or legal matters without express consent to do so.

5.1.8 The City of Allen reserves the right to monitor employee use of social media sites accessed during work hours on City equipment. Users should have no expectation of privacy or confidentiality when using these resources.

**5.2 Use of Social Media at Home**

While the City of Allen encourages its employees to enjoy and make good use of their off-duty time, certain activities on the part of employees may become a concern if they have the effect of impairing the work of any employee; harassing, demeaning, or creating a hostile work environment for any employee; disrupting the smooth and orderly flow of work within the office; or harming the goodwill and reputation of the City among its citizens or in the community at large. In the area of social media, employees may use such media in any way they choose as long as such use does not produce the adverse consequences noted above. For this reason, the City of Allen reminds its employees that the following guidelines apply in their use of social media, both on and off duty:

5.2.1 Information that is published on such personal on-line sites should never be attributed to the City of Allen and should not appear to be endorsed by or originated from the City of Allen.

5.2.2 Employees engaging on personal social media platforms should not use their city e-mail account or the City's name, logos, pictures of the employee in a City uniform, incorporate the City in their identity (e.g. username, "handle", screen name or profile picture), nor should they speak as a representative of the City of Allen.

5.2.3 Any person identified as an employee of the City of Allen on a publicly accessible site is expected to maintain a positive on-line image that is consistent with the City's goals and objectives.

5.2.4 Employees, who choose to list their work affiliation on professional networking sites, should regard all communication on that network in a professional manner.

5.2.5 Individuals contributing commentary to a blog or other social media site who identify themselves as a City employee are asked to provide a clear disclaimer that the views expressed are the author's alone, and do not represent the views of the City of Allen.

5.2.6 Employees should be mindful that connections made with other City employees on personal social networking sites may have an impact on working relationships, whether or not an individual chooses to associate their employment with the City in their personal on-line networking activity.

## 6. ENFORCEMENT

The City of Allen reserves the right to remove content that is deemed in violation of this policy or any applicable law. Violations of this policy may result in immediate revocation of any or all electronic communications access and user privileges and may be grounds for disciplinary action up to and including termination. Certain violations could result in civil or criminal liabilities for the user.

# City of Allen
# Social Media Request Form

Name and Title:_____

Department:_____

Social Media Application Requested (*include website address*): _____

Login ID: _____ Password: _____

Purpose for Social Media Site (*include content to be posted/shared and intended audience to be served)*:

Please Indicate How Often Site's Content Will Be Reviewed and Updated:

Designated Employee(s) Responsible for Managing Site Content and Correspondence (*Please include employee's name and position*):

What Provisions Will be Made if Designated Employee Leaves Position?

**APPROVALS:**

_____ _____

Department Head PAMRO Representative

# City of Allen
# Social Media Use Agreement

I understand that I have been designated as an employee who is authorized to communicate information regarding events or services relating to my department via the City of Allen's official social media sites and agree to:

(1) Post on social media sites and pages that have been approved by the Public and Media Relations Office (PAMRO);
(2) Provide PAMRO with the login and password to the social media site(s)/page(s). If the site requires login and password updates, I will notify PAMRO of any changes;
(3) Ensure site content provides information about city events and activities;
(4) Ensure all communication through social media platforms complies with City of Allen's communication policy, adheres to the sites' terms of usage and does not violate copyright laws or any other applicable federal or state law;
(5) Ensure the social media site contains the City's disclaimer as described in Section 4.9 of the Administrative Directive on Social Media Use;
(6) Respond to public comments, inquiries or complaints with approval from the Department Head;
(7) Follow protocols established in the City's Media Relations Policy as it relates to media inquiries submitted through social media platforms;
(8) Refrain from discussing information about the City's employees, citizens, vendors, issues, business or legal matters without express consent to do so.

I further understand that any violation of this policy or applicable law may result in immediate revocation of my participation in the city's social media sites and may be grounds for disciplinary action up to and including termination.

By signing below, I understand and intend to comply with this policy.

_____
Employee's Name (Please Print)

_____
Employee's Signature

_____
Date

# Acknowledgement of Social Media Use Training

I acknowledge that on _____ (date), I attended social media use training. I understand that:

1) Social media sites or pages representing the City of Allen must be approved by the Public and Media Relations Office;

2) Use of social media sites at work should only be for the purposes of promoting city services or events;

3) Only designated department employees that are approved by the Public and Media Relations Officer have authority to publish content on official City of Allen social media site or page;

4) Employees are prohibited from using their city e-mail account, city logos, or pictures in city uniforms for use on personal social media platforms.

I further acknowledge that I have received and read a copy of the City of Allen's Administrative Directive regarding social media use and understand my responsibilities when participating in social media.

_____
Employee's Name (Please Print)

_____
Employee's Signature

_____
Date

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: TIME CLOCK** | **NUMBER: HR-9** |
| **EFFECTIVE DATE: APRIL 6, 2017** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## TIME CLOCKS

### Purpose

The City of Allen uses an electronic time tracking system to capture and record select non-exempt employee time records. The electronic time tracking system will allow the city to accurately record, track, and report employee information in real time.

### Applicability

Select non-exempt employees in the following areas are required to use the time clock system to record their hours worked: Don Rodenbaugh Natatorium, Ford Pool, Joe Farmer Recreation Center, Courses at Waters Creek Golf Couse. Select non-exempt employees are required to clock in and out, via the time clocks, for payroll and attendance purposes.

### Time Clock Stations

Biometric time clocks are located in the following facilities: Joe Farmer Recreation Center, Don Rodenbaugh Natatorium, Courses at Watters Creek Golf Course: Pro Shop and Maintenance Barn, Ford Pool, and Human Resources. Employees are required to clock in and out at the time clock located in their departments using their index finger. If there is a problem with the time clock, employees should notify their supervisor immediately, and the supervisor is responsible for notifying IT.

### Window for Clocking In and Out

Although employees are generally expected to clock in and out no sooner than seven (7) minutes before or after the scheduled shift they should clock in as close to their actual start time as possible and they should clock out as soon as they have completed their shift. Employees are required to clock in and out for meal breaks in addition to the beginning and end of their shift.

If an employee fails to clock in or out of their shift or for their meal break; the employee should notify the supervisor/approver immediately. The supervisor/approver will manually correct the employee's work hours via the

manager time clock portal. Employees who repeatedly miss time clock entries will be subject to disciplinary action.

Under certain conditions (such as trainings at off-site locations, extracurricular events, etc.) when an employee cannot clock in at their worksite, the employee should report time worked to their supervisor. The supervisor will manually enter the employee's work hours via the manager time clock portal.

**Overtime**

Nonexempt employees are permitted to work overtime only with prior authorization from their supervisors. Overtime includes clocking in/out early or late or working through the scheduled lunch period. Nonexempt employees who work overtime without prior authorization will be subject to disciplinary procedures.

**Falsification, Tampering, and Unauthorized Viewing**

The following infractions are prohibited and will considered severe. Due to the severity of these infractions, employees may be subject to disciplinary action, up to and including termination.

- Any attempt to tamper with timekeeping hardware or software
- Interference with another employee's use of the time clock
- Unauthorized viewing of another employee's time in the time clock system
- Unauthorized modification of employee's time punches
- Negligence regarding missed punches or supervisor overrides

**Clock Problems**

If an employee is unable to clock in/out because of a time clock malfunction, accidental oversight, or other reason, it is the employee's responsibility to immediately inform their supervisor. The supervisor will manually correct the clock in/out information in the manager time clock portal. The supervisor will notify IT of any clock problems or malfunctions with the clock terminal.

**Breaks**

The Fair Labor Standards Act (FLSA) does not require breaks or meal periods to be given to workers. Non-exempt employees may be allowed paid breaks, up to fifteen (15) minutes during their shift as defined in section 7.04 of the City of Allen Policy Manual and approved by their supervisor.

**Unreported Hours**

All hours worked must be reported using the time clock timekeeping system. Any time spent working while not clocked in (a.k.a. working off the clock) is strictly prohibited. Employees are required to clock in before performing any work and clock out at the end of their scheduled shift. Employees that under report or fail to

report hours worked are subject to disciplinary action, up to and including termination.

Examples of "working off the clock" include:

- Forgetting to clock in or out
- Voluntarily continuing to work at the end of regular working hours
- Taking work home to complete on the weekend or in the evening
- Checking/Reading/Reviewing work related emails or listening to work related voicemail messages while away for the office or workplace.
- Answering phones, emails, or attending to customers while clocked out for a lunch break

Once an employee has clocked in, he/she is responsible for starting work. When a shift has been completed, it is the employee's responsibility to clock out. Employees conducting personal business or simply not working while clocked in may be considered "riding the clock" and could be subject to disciplinary action up to and including termination. Employees are required to clock out for lunch and clock in when lunch is completed.

**Holidays and Other Paid Leave**

Employees who are eligible for paid Holidays and employees who are on approved paid leave will have those hours entered in the time clock portal by their Supervisor/Approver.

**Processing of Electronic Time Report**

Payroll will close the work period according to a preset schedule to ensure that time adjustments are properly recorded. Time entry is processed at the end of a work period. Each work period includes two work week cycles. Work cycles begin on Saturday at 12:01 am and continues through Friday at midnight. Time Clock Supervisors/approvers must resolve all missed punches, review clock hours for their staff, and approve time entry before noon on the Monday following the close of a work period.

**Disputes over Time Clocked In or Out**

In the event an employee has a dispute over time that was clocked in or out, they should bring it to the attention of their supervisor immediately. Any dispute that cannot be resolved should be reported to Human Resources.

**Time Clock Supervisors/Approvers**

Time Clock Supervisors/Approvers are responsible for monitoring and approving the electronic time and attendance information. Time cannot be released for payroll processing without location level approval. Approval of a Time Clock Supervisor/Approver certifies that the time submitted to Payroll is correct.

**Time Clock Editing**

Time Clock editing by a Supervisor/Approver should be limited to the following:

- Correcting missed punches
- Correcting lunch punches
- Inserting paid leave

The employee and Payroll should be notified by the Supervisor/Approver when any edit results in the reduction of total hours that an employee has clocked in/out.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: TELEWORK POLICY** | **NUMBER: HR-10** |
| **EFFECTIVE DATE: SEPTEMBER 1, 2021** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**ERIC ELLWANGER, CITY MANAGER** |

# TELEWORK POLICY

## I. Objective

The City of Allen considers teleworking to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Teleworking is intended to create flexible conditions that will help employees accomplish their work effectively without disruption to city services. Teleworking may be appropriate for some employees and jobs, but not for others. Teleworking is not an entitlement; rather, it is an accommodation made on a case-by-case basis by a manager, and it in no way changes the terms and conditions of employment with City of Allen.

Telework arrangements should not impede the mission and core values for the City of Allen – internal and external customer service is critical to the success of the organization and if teleworking negatively impacts customer service, the arrangement may be revoked for an individual or entire department.

## II. Definitions

Remote Work – any work that is performed at a secure, safe off-site location. Remote work can be temporary, or situational (Ad Hoc Remote Work) or remote work can be arranged in a set schedule by agreement (Teleworking). The City of Allen will not be responsible for any costs associated with the initial setup for remote work such as remodeling, furniture, etc.

Ad Hoc Remote Work – work that is temporary in nature for irregular events and special circumstances including but not limited to inclement weather, special projects, or business travel. These arrangements may be approved by the Department Director on an as-needed basis only, with no expectation of ongoing continuance. Occasional or ad hoc remote work offsite, including work while traveling on City of Allen business, does not constitute teleworking and does not require the application of this policy.

Teleworking – an arrangement in which an employee performs remote work for a specified portion of the work week as outlined in an agreement. Teleworking is the focus of this policy.

Teleworker – an employee who has been approved for a teleworking arrangement and is working remotely per this policy.

## III. Provisions

The duties, responsibilities, and conditions of employment remain the same as if the employee was not telecommuting. The employee must continue to comply with City of Allen policies and procedures while working remotely.

Teleworking is a mutually agreed upon work arrangement between the city and the employee. The city and/or department director and/or supervisor, with or without cause, may revoke or modify the telework agreement at any time.

Teleworking by one employee should not negatively impact the workload or productivity of others by shifting responsibilities or creating delays and additional steps in workflows or processes. Teleworking will not affect compensation, benefits, work status, or work responsibilities. Teleworking should not negatively impact customer service offered to the public or impede processes that are required to follow internal policies.

Teleworking arrangements may result in the sharing of on-site workspace. The City of Allen reserves the right to adjust workspaces for sharing among teleworkers as the space needs of the organization continue to be maximized.

## IV. Parameters

Individuals requesting telework arrangements must be employed with City of Allen for a minimum of 6 months of continuous, regular employment and must have a satisfactory performance record. Exceptions to this eligibility criteria requires approval by the City Manager or designee.

### A. Eligibility

Before entering into any teleworking agreement, the employee, supervisor, and Department Director, will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability. The employee and supervisor will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telework including strong time management and organizational skills, self-motivation, dependability, and strong computer literacy. Additionally, the employee is not suitable for telework arrangements if actively on a level of discipline. Because such an assessment can take time, it is necessary for the employee to have successfully completed their first 6 months of employment. An exception to this requirement may be considered and granted by the City Manager or designee through a memo submitted by the Department Director.

- Job responsibilities. The employee, supervisor and Director will discuss the job responsibilities and determine if the job is appropriate for a teleworking arrangement. Human Resources can provide guidance in this assessment.
- Other Considerations. The employee and supervisor will review the physical workspace needs, the appropriate location for the telework and the scheduling needs of the division in establishing a successful telework arrangement.

**B. Tax Implications**

Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state, and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

**C. Emergency or Other Event**

In the event of a wide scale emergency or other citywide event that could impact the community and/or operations, the City Manager, or an authorized designee, reserves the right to declare an emergency event status or temporary operation status and either implement, suspend, or modify this policy. In the event of an emergency, designated employees must be ready to assist in managing the emergency event and these designated employees will be considered essential for the continuity of governmental operations.

**D. Equipment**

On a case-by-case basis, City of Allen will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, phone and data lines and other office equipment) for each teleworking arrangement. The Human Resources and Information Technology Departments will serve as a resource in this matter.

Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee, and must meet standards established by the organization. City of Allen accepts no responsibility for damage or repairs to employee-owned equipment. City of Allen reserves the right to make determinations as to the appropriate equipment, subject to change at any time. Equipment supplied by the organization is to be used for business purposes only.

City of Allen will supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. The City is not obligated to send support staff to any telecommuter's worksite. If additional support is required by the telecommuter, the employee may be required to report to the city worksite.

The employee will establish an appropriate work environment, consistent with the requirements in this policy, within their work site for work purposes. City of Allen will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture, or lighting, nor for repairs or modifications to the home office space.

Upon separation of employment, all City of Allen property will be returned to the City before a final paycheck is released, unless other arrangements have been made. Equipment issued to the employee is the responsibility of the Supervisor to obtain and return prior to the employee's last day of employment.

**E. Security**

Consistent with the organization's expectations of information security for employees working at the office, teleworking employees will be expected to ensure the protection of proprietary organization/City and customer information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

**F. Safety**

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. City of Allen will provide each teleworker and their supervisor with required telework training, which includes safety tips, that is required to be completed prior to entering a Telework Agreement. Teleworking employees are responsible for notifying the employer of injuries sustained in accordance with the Personnel Policy.

**G. Time Worked**

Teleworking employees who are not exempt from the overtime requirements of the Fair Labor Standards Act (non-exempt employees) will be required to accurately record all hours worked using City of Allen's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the teleworker's supervisor. Failure to comply with this requirement may result in the immediate termination of the teleworking agreement. Teleworkers who are exempt from overtime requirements of the Fair

Labor Standards Act are required to continue inputting their time into the city's time-keeping system just as they do when working onsite.

Teleworking employees will be expected to work the hours of the teleworking agreement schedule. The Department Head and Supervisor will consider requested modifications to the teleworking agreement schedule in balance with the needs of the division and department.

It remains the supervisors' responsibility to monitor the workload of teleworking employees and ensure work is being performed to expectations and deadlines are met.

**H. Ad Hoc Remote Work Arrangements**

Ad Hoc remote work may be approved by the Department Director for irregular events and special circumstances including but not limited to inclement weather, special projects, or business travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance. Such arrangements may be made for employees on family or medical leave to the extent practical for the employee, the department, and the organization and with the consent of the employee's health care provider, if appropriate.

All ad hoc remote work arrangements are made on a case-by-case basis, focusing first on the needs of the City. Ad hoc remote work arrangements that are granted on an ad hoc basis do not require a Teleworking Agreement since they are temporary in nature.

**I. Annual Review and Performance Review**

Teleworking arrangements should be reviewed, at a minimum, on an annual basis corresponding with an employee's annual goal setting meeting with their supervisor. The employee and their supervisor should review the current telecommuting agreement and employee performance along with the Telework Policy. It will be the supervisor's decision whether to continue, modify or revoke the current Teleworking agreement for the employee.

In addition to the annual performance review, the supervisor should continue to monitor the impact of the teleworking arrangement and performance of the teleworker. The ability to telecommute can be revoked at any time for any reason by the Department Director, City Manager, or authorized designee of the City Manager's Office. If revocation is the result of attendance, work performance or failure to abide by policy, any resumption of telecommuting will require new authorization.

**J. Procedures**

Employees interested in a Telework Agreement should review the policy and discuss this option with their Supervisor. If the employee, supervisor, and Department Director all agree, a teleworking agreement will be prepared and signed by all parties, and the Telework agreement will commence.

Evaluation of telework performance should occur regularly by phone, e-mail and videoconference between the employee and the supervisor, and weekly face-to-

face meetings to discuss work progress and challenges. Supervisor and teleworker should communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

The employee will be responsible for successful completion of the City of Allen Teleworking Training Course prior to beginning the Telework Agreement.

The Supervisor will be responsible for maintaining the Telework Agreement and monitoring the success of the arrangement.

## City of Allen Telework Agreement

Employee Name: _____

Job Title: _____

Department/Division: _____

Best phone number to reach you when teleworking: _____

Home: _____ Mobile: _____ Work Phone: _____

Telework Site Address: _____
You are authorized to telework with the following schedule:

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|---|---|---|---|---|---|
| 6:00 a.m. | | | | | |
| 7:00 a.m. | | | | | |
| 8:00 a.m. | | | | | |
| 9:00 a.m. | | | | | |
| 10:00 a.m. | | | | | |
| 11:00 p.m. | | | | | |
| 12:00 p.m. | | | | | |
| 1:00 p.m. | | | | | |
| 2:00 p.m. | | | | | |
| 3:00 p.m. | | | | | |
| 4:00 p.m. | | | | | |
| 5:00 p.m. | | | | | |
| 6:00 p.m. | | | | | |

*The City of Allen reserves the right to modify this schedule or terminate your telecommuting at any time. You may request a modification of your schedule or end telecommuting at any time with Supervisor and Director approval.*

**Employee Acknowledgements**

I have read and understand the City's Telework Policy and will adhere to its terms and conditions. I agree to all employee acknowledgements above and will adhere to the terms and conditions set forth in this Teleworking Agreement.

I have reviewed the training materials and completed the required telework training provided by the City of Allen.

I understand that my work performance and compliance with this Telework Agreement will be evaluated by my supervisor.

I agree that I am responsible for abiding by the established teleworking work hours, furnishing, and maintaining my telework workspace in a safe manner, employing appropriate teleworking security measures, and protecting City assets, information, and systems. I understand that teleworking is a privilege and is voluntary. It can be suspended or terminated at any time by me or by the City.

_____ _____

Employee Signature Date

**Supervisor and Director Acknowledgements**

The Supervisor and Director must read and agree to the following:

- ▫ I have read and understand the City's Telework Policy.
- ▫ I have read and understand the conditions listed in this Telework Agreement.
- ▫ I agree to monitor the performance of the teleworker to assess the effectiveness of the teleworking arrangement and compliance with this Telework Agreement.

_____ _____

Supervisor Signature Date

_____ _____

Department Director Date

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATION DEPARTMENT | |
|---|---|
| **SUBJECT: MANAGEMENT OF INFORMATION SYSTEMS** | **NUMBER: IT-1** |
| **EFFECTIVE DATE: JUNE 9, 2021** | |
| **AMENDS/SUPERSEDES: IT-1 DIRECTIVE EFFECTIVE FEBRUARY 13, 2019, IT-1 DIRECTIVE EFFECTIVE MARCH 31, 2017, MAY 10, 2001 AND IT-3 DIRECTIVE EFFECTIVE MARCH 25, 1999** | **APPROVED:**<br><br>_____<br>**ERIC ELLWANGER, CITY MANAGER** |

Policy

A. This Policy governs the use of the Technology resources owned and operated by the City of Allen by employees, volunteers, vendors, contractors and all other authorized users. Technology includes, but is not limited to, desktops, laptops, mobile devices, networking equipment, networked devices, servers, software, electronic mail, phones, cellular phones, control systems, Internet, Intranet, and all other Enterprise electronic systems or devices.

B. The Information Technology Department (IT) shall establish and maintain specific rules and requirements relating to the safe and secure operation of all devices and the storage of data while connected to City resources. Adherence to these standards is a requirement for all persons utilizing City-owned devices, or storing and accessing data on city technology infrastructure. These standards shall be amended as necessary to remain current with various needs and risks, and are included in this policy by reference. Failure to comply with these rules and requirements shall be considered an improper use.

II. Definitions

A. For the purposes of this Policy and Procedure, the following definitions shall apply:

1. Improper Material - Pictures, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are racist, sexually suggestive, sexually/racially demeaning, pornographic, offensive, intimidating, harassing, disparaging, and/or hostile on the basis of age, disability, gender, national

origin, race, color, religion, or any other legally protected characteristic.

2. IT Director - The Director of Information Technology of the City of Allen or designee.

3. Department Head/Department Director - The head of an administrative department of the City of Allen, or designee.

4. Employee - For the purpose of this policy, an employee is defined as an individual employed by the City on a full-time, part-time, seasonal, temporary or internship basis.

5. Mobile Device - Means a device intended to be portable, carried on one's person, or readily moved from location to location, such as smartphones, cell phones, radios, pagers, laptops, tablets, and others.

6. Authorized user - An authorized user is a current employee, contractor, vendor, or other party who has been granted lawful access by the IT Director to the City of Allen network, applications, or services.

III. Procedures

A. Applicability

1. This policy shall apply to all City employees, volunteers, vendors, contractors, and other authorized users as defined herein. Departments may develop departmental policies and procedures which provide greater direction to their employees, as long as that direction is consistent with the City's interdepartmental policy and procedure.

B. Authorized Use

1. The City electronic communications and technology resources are provided for the purpose of conducting City business. Personal usage is permitted, as long as the personal use is reasonable and prudent. Responsibility and accountability for the appropriate use of City electronic communication and technology resources ultimately rest with the individual employee.

2. Improper use of the City's electronic communications and technology resources may result in disciplinary action, up to and including termination.

C. Privacy

1. No user accessing or using computers or telecommunications resources owned and/or operated by the City of Allen can have any expectation of privacy. The City of Allen reserves the right to monitor, intercept, archive, view, or distribute any communications and/or content transmitted over resource which it owns, leases, or operates subject to all applicable laws.

    a) IT Staff may be required to access any and all material located on those resources.

    b) Department Heads may monitor employee use of the Internet and email, and may revoke an employee's access to the Internet and/or email by notifying the IT Director.

    c) Authorized users must be aware that any digital record residing on a city-owned device may be subject to lawful open records requests. In addition, any data regarding City business stored on a personal device or file sharing service is also subject to lawful open records requests.

    d) The department to whom an electronic device has been issued is responsible for all costs associated with the damage or loss of any device which has been issued by the IT department. See III, I, 6 for clarification on mobile device repair and replacement.

D. Resource Access Requirements

1. Work Product

    a) No employee shall use the Internet or e-mail to present his or her own personal views, ideas, questions, or actions, as representing the positions or policies of the City unless doing so in an official capacity and authorized by the City Manager or his/her designee.

    b) Unless otherwise specified by contract, any work produced by a vendor, contractor, or other third party acting as an agent, consultant, or contractor to the City, is the property of the City, and employees shall take steps to ensure that such property is properly stored on City resources to prevent loss.

    c) No employee shall use any City-owned equipment or resources in violation of any applicable law.

2. Identity

   a) Each person authorized to access the City of Allen's computer and network resources must do so using a unique user name (login name) assigned by the IT Department. The use of group accounts will be limited to only those circumstances approved by the IT Director. Employees shall not share their account information, or permit other employees to log in using their credentials excepting properly identified members of the IT department. Electronic communications authored by the employee must clearly originate from the user's unique account.

3. New Employees

   a) It is the responsibility of each department to notify the IT Department at least three working days prior to the start date of any new employee or authorized user who needs access to the City's electronic resources, so that appropriate access can be provided on a timely basis.

   b) New employees must receive a copy of this policy, and acknowledge that they have read, and will adhere to, the contents of this document.

   c) It is the responsibility of each department to immediately notify the IT Department in the event of the termination, resignation, or retirement of any employee within their department who previously had access to City computers and/or network resources, so that such employee user accounts may be removed.

4. Remote Access to Resources – The City maintains various systems to permit users to access internal systems from non-secured locations, like the Internet. These services are intended to augment the productivity of employees.

   a) Employees must take extra precautions when accessing City resources from non-city devices. The use of a virus scanner is required.

   b) It is the responsibility of the employee using the remote access facility to ensure that unauthorized persons cannot utilize their account to gain access to City resources. Employees are not to provide their passwords to anyone, including family members.

   c) Users must understand that using their personal device or computer to access City resources may impose a possibility of open records access responsibility. This means you may be

required to provide records from your personal device or submit your personal device to a search for either an open records or legal request if it accesses City systems.

d) Unless specifically authorized by their department head, non-exempt employees may not use electronic devices to conduct City business outside their normal working hours.

5. Data Storage

a) Employees should not store information exclusively on the local drive (C:, D:, etc.) of a PC or laptop or tablet. By storing the file outside of network or cloud storage provided by the City, the data is neither searchable nor backed up. Employees are instead required to utilize network drives, City-provided cloud storage, such as Microsoft OneDrive and SharePoint Online, or City- owned content management systems for the purposes of data storage.

E. Internet - It is the policy of the City of Allen to offer connectivity to the Internet for employees requiring its use as a part of their normally assigned duties. The purpose of this policy is not to discourage the use of the Internet, but to provide a uniform approach to the usage of this resource, to safeguard City interests in the use of the Internet, to meet all applicable laws, and to protect the assets attached to City networks from unauthorized access. The City of Allen reserves the right to monitor all Internet usage on City-owned and City- connected devices including reviewing all sites that are viewed by the employee's browser and the amount of time spent at each site.

1. Appropriate Uses of Internet Resources - All City-owned Internet resources are to be used only in the pursuit of appropriate city business interests.

2. Bringing improper material into the work environment or workplace, or possessing any improper material at work to read, display, or view at work, or otherwise publicizing it in the work environment is prohibited.

3. No employee shall connect to any web site that contains improper material (Exception: sanctioned APD employees performing assigned investigative work). The city reserves the right to block employee access to such web sites.

4. No employee shall operate or advertise any non-city business on the Internet using City equipment at any time.

5. No employee shall send chain letters, pyramid schemes, or unsolicited bulk email using City equipment at any time.

6. No employee shall use official City email addresses to distribute jokes, virus warnings, sentimental missives, rumors, political commentary, or other non-work-related material to other employees or the general public. (NOTE: Only IT employees and PAMRO, acting in their official capacity, are to transmit virus warnings.)

7. Personal email messages or other non-city related usage of Internet resources should be held to a minimum, as with telephone calls. Personal Internet usage or usage of electronic devices should not impede the conduct of City business; only incidental amounts of employee time comparable to reasonable coffee breaks during the day should be used to attend to personal matters. Questions regarding the extent of this policy should be discussed with departmental supervisors. Personal use of Internet resources is a privilege, not a right. As such, the privilege may be revoked at any time and for any reason. Abuse of the privilege may result in appropriate disciplinary action.

8. All employees shall use only their city-assigned email address during the performance of their assigned job duties. No private or "ghost" accounts shall be used, except by network administrators as part of their function (e.g., account names like "Webmaster," "Postmaster," "root," etc.) and special investigations. All requests for exceptions to this policy must be approved by the IT Director.

9. Email received from citizens should be handled with the same seriousness as any other form of citizen contact. Employees should always maintain professional decorum in their responses, seek approval from supervisors where appropriate, and reply to messages promptly.

10. Unless specifically approved by the IT Director, all Internet email transmissions shall be routed though the official City gateway service (Exception: sanctioned APD employees performing assigned investigation work). No department or employees shall operate within City networks any email servers, mail forwarding services, or other email transmission or reception services for use by any person or automated system.

11. Internet traffic will be filtered to prevent access to inappropriate sites and those deemed detrimental to network services.

F. Personal Device Usage

1. The City of Allen reserves the right to disconnect or prevent connection to City network resources of any device, by any user, at any time, or for any reason, without any notice whatsoever.

2. The employee attaching their personal device to a City network resource assumes full liability for any risks, including, but not limited to,

partial or complete data loss, errors, bugs, hardware loss or damage, viruses, malware, or any other issue which may damage the device, in any way whatsoever. The employee assumes all risk by connecting to the resource.

3. The IT Director, or designee, shall be solely responsible for determining which devices may be connected to City resources. Employees should contact the IT Help Desk to determine whether their device is eligible, and to obtain proper user credentials for their device.

4. Support - The IT department will provide support for network connectivity issues. However, hardware and software support for personal devices will not be provided.

5. Reimbursement - Connection to City-owned network resources is provided to employees as a convenience only. The City will not reimburse any expense, partial or otherwise, for any usage of a personal device, including cell phones, regardless of purpose. The exception to this is when qualified and authorized employees are provided a monthly phone allowance as per the Smart Phone Allowance Policy (see IT-3).

6. Personal Device Security

    a) In order to prevent unauthorized access to City resources, personal devices must be password protected with a strong password or key code or biometric login. Access to City resources will be denied if this protection is disabled or not present.

    b) Employees that have been issued a City owned cell phone for their use shall not forward calls to any personally owned device.

    c) Rooted or “jailbroken” devices will not be permitted to connect. By jailbreaking a phone, the user is altering the phone operating system in a way unsupported by the device manufacturer (e.g., Apple), usually to install unsupported software which can open security holes.

    d) Users of personal devices must follow all City policies with respect to acceptable use while attached to City network resources.

    e) Employees must be aware, that the conduct of City business, or use of City data on any personally owned device, may expose that device and the employee to legal obligations with respect to municipal open records requirements.

f) Smartphones and tablets belonging to employees that are for personal use only are not allowed to connect to the internal network unless given an exception in writing by their Department Head and the IT Director or designee.

g) City data stored on the personal device may be remotely wiped if 1) the device is lost, 2) the employee terminates his or her employment, 3) IT detects a data or policy breach, a virus or similar threat to the security of the City's data and technology infrastructure.

h) The employee is responsible for backing up all data on their device.

G. Communications Network

1. No employee or other person shall install or move any network device onto the City communications network under any circumstances whatsoever. Only members of the IT department are permitted access to such equipment.

2. No employee, contractor, or third party may install any device or software intended to monitor, capture, or eavesdrop upon, any portion of data traversing the City Network, excepting members of IT.

3. Employees shall not attach any form of personal network equipment including, but not limited to, switches, routers, or modems to any City network.

4. No employee will permit any third party to connect any device to any Ethernet jack or secure wireless service without the express permission of the IT Director or designee, unless service is specifically provided for such purpose.

5. No employee shall install or operate any equipment or service which has the effect of redirecting or proxying any network traffic to or from any other network or disguising the source of any network transmission.

H. Software

1. The City is committed to preventing copyright infringement. It is the policy of the City of Allen to respect all computer software copyrights and to adhere to the terms of all software licenses to which the City is a party. The City is subject to all copyright laws pertaining to the use of copyrighted software and documentation. Unless expressly authorized by the software licensor/developer, the City of Allen has no right to make copies of the software except for backup or archival purposes.

2. All software used on a City computer must be licensed to the City for that computer.

3. Employees may not install any software not provided to them by the IT Department without specific authorization by the IT Director or designee.

4. City employees shall not duplicate, copy, or reproduce any software purchased by and/or licensed to the City, or any related documentation without prior written approval from the IT Director. City employees shall not give City-purchased or licensed software to any non-employees, including, but not limited to clients, contractors, customers, and others without prior written approval from the IT Director.

5. Software developed by employees on City time, or on City-owned equipment, or for City projects, shall be the property of the City. Such software is for the exclusive use of the City, its officers, agents, and employees. Such software may not be sold, transferred, or given to any person without the prior written approval of the City Manager or designee.

6. Software must be registered in the name of the City and the Department in which it will be used. Software shall not be registered in an individual employee user's name.

7. Game software is an inappropriate use of City equipment and shall not be tolerated on desktop PCs. Games discovered during audits shall be eliminated and the employee user may be subject to disciplinary action.

I. Mobile Devices, Cellular Telephones

1. The monthly smartphone allowance, described in IT-3, is the standard option for employees that require mobile connectivity to City data and is provided in lieu of a city-issued smartphone. In some cases, such as a CJIS requirement, the City may directly issue a cell phone to an employee, but only with the approval of the City Manager and IT Director.

2. City-issued smartphones may be provided to some workgroups in preparation for service outages or emergencies (e.g. 911 dispatch or SCADA), vehicles requiring a cellular phone (e.g. Ambulance) or where citizen contact to a wireless number is essential (field sports group, etc).

3. Eligibility Criteria – Employees eligible for assignment of City owned mobile devices are those designated by the City Manager, Deputy City

Manager, Assistant City Manager and/or department directors, including (but not limited to):

a) Public safety positions accessing CJIS data where a city-issued device is required and vehicles in order to provide immediate and direct communications with citizens, outside agencies cooperating in operations, or other resource entities outside of City government and to provide for communications which may be inappropriate for mobile radios;
b) Employees with a job requirement of a cellular-capable tablet or mobile hotspot.

4. Responsibilities of City Management and Department Heads - The City Manager/Assistant City Manager and/or Department Heads are responsible for:

a) Approving requests for cellular telephones and other wireless communications devices from their respective subordinates;

b) Ensuring that requests are in conformance with the procedures outlined herein, or that exceptions are justified;

c) Ensuring that all persons assigned a City-owned cellular telephone, and/or other wireless communications device, are provided access to a copy of this Policy and Procedure, and that the individual is in compliance with it;

d) Conducting periodic inventories of cellular telephones and other wireless communications devices within their respective departments to insure accountability;

e) Conducting annual reviews of assigned devices to determine if such assignments continue to be justified; and;

f) Informing appropriate employees responsible for City communications of all reassignments of cellular telephones, and/or other wireless communications devices.

5. Responsibilities of Employees - Employees who are assigned the use of City-owned cellular telephones, electronic paging devices, and/or other wireless communications devices are responsible for the following:

a) Ensuring the physical security of such devices, including the active use of passcodes, passwords, and prevention of misuse by others.

b) Ensuring that any personal use does not detract from the employee’s availability for completion of assigned duties.

c) If non-exempt, employee and supervisor must read and sign the procedures related to compensating Non-Exempt employees for phone usage time outside of the standard work schedule, as indicated in Exhibit A.

6. Mobile Device Management – In order to safeguard City-owned property, and to prevent breach and/or loss, the City may install device management software on any or all city-owned mobile devices, to include emergency locators, remote device disable, device wipe, and other functions as deemed necessary by the IT Director. No city staff will have authority to track the location of the device except in the case of a lost asset or an active HR investigation. Text messages, photos, and the contents of any other application will not be logged or viewable remotely by city staff.

7. Requests for new mobile devices must be made using the online or physical request form by the Department Head or designee of the employee requesting the phone. Once approved by the City Manager, the request will be provided to the IT Director. The device will then be provisioned for the employee.

8. The City will cover the cost of replacing or repairing a City-provided mobile device *once* during a two-year period starting from the issue date of the device due to loss or damage and will repair or replace the device with a similar model when possible. The cost of additional damage or loss replacements and repair during the two-year period based on the original device issue date will be the responsibility of the employee and should be reimbursed to the City by the employee.

9. All Non-Exempt employees and their immediate supervisor must agree to the procedures related to compensating non-exempt employees for phone usage time outside of the standard work schedule, as indicated in Exhibit A.

10. Termination – Upon termination of employment, employees are required to provide the device to IT no less than three (3) business days prior to the employee's termination date. This allows IT to verify the device can be unlocked, wiped and provisioned to another employee. In the case a device is not returned or is returned but is unable to be unlocked and wiped (due to PIN, Google/Apple account lock, etc) the cost of a replacement device may be withheld from the employee's final paycheck.

11. Unreturned assets – If a mobile device is not returned to the IT department or it is unable to be unlocked within five (5) business days after the employee's termination date, the cost of a replacement device will be deducted from the final paycheck. The City will not accept a

device or provide a refund back to the employee once the final paycheck has been processed.

J. Security - It is the responsibility of every employee to operate all City telecommunications, computer, or other electronic equipment in such a way as to minimize the risk of unauthorized access to, or loss of, any City resource by any other party, to ensure that City resources are not misused by any other person, and to act so as to protect the integrity of the data and resources of the City.

1. Password Policy - Each City employee (who uses computers) must have a unique password.

    a) *Passwords may not be written down where they can be found by unauthorized personnel or be shared with other individuals. It is the responsibility of the employee to maintain the secrecy of their passwords.*

    b) *Passwords must not be a dictionary word or proper name.*

2. All employees shall immediately report any unauthorized access or unauthorized access attempt, virus infection, spyware infection, or other unauthorized or illegal resource use to the IT Director or his designee.

3. Employees shall not download or install any software of any kind whatever from the Internet or any storage device or media to any City-owned computer without the prior consent of the IT Director.

K. Technology Procurement

1. Departments will coordinate all technology or software related purchase requests (including grant proposals, RFPs, bids, contracts, purchase orders, and City credit card purchases) with the IT Director or designee verbally or in writing prior to purchase. The purpose of this review is:

    a) To ensure that the product(s) obtained are compatible with City standards and existing infrastructure;

    b) To avoid unnecessary and costly duplication of capabilities;

    c) To minimize impacts on support personnel;

    d) To ensure all costs are properly considered; and

e) To ensure that the proposed equipment or software does not interfere with the operation of existing systems or create any undue risk to City resources.

f) Departments will involve the IT department in the earliest planning stages of any grant proposal, RFP, bid, contracts, or purchase, etc., which will result in IT related services or products being obtained, prior to the submission of any request to the purchasing department or City Council.

EXHIBIT A

City Issued Mobile Devices, Cellular Telephones, Cloud Files and Email Access

***Procedures for Compensating Non-Exempt Employees***

In order to meet City-wide operational demands, non-exempt employees can access Email and files remotely from the cloud (e.g. Office 365) and some are issued smartphones for business use. The intended use of the phone and cloud files/email is to provide an employee who is regularly working in the field or away from the office, the ability to maintain connectivity and responsiveness during their regularly scheduled work day. The access also allows for pre-approved (by supervisors) monitoring of calls, voicemail, and/or email outside of the regular work schedule. It is essential that monitoring of the phone or access of email outside of work hours is pre-approved because it may result in over-time (Chapter 7, Compensation Policy,7.02 Overtime). It is strictly prohibited for employees to use the City-issued smart phone or access cloud resources outside of their regularly scheduled work day unless they have been instructed by their supervisor to do so, including access of email, voicemail or text messages. Supervisors should limit the number of employees and length of time that employees spend using mobile devices or cloud data outside of regularly scheduled hours. The employee must notify the supervisor the following work day if there was unauthorized use of their City data outside of the standard work schedule in order to properly account for the employee's time. If a non-exempt employee consistently has unauthorized use of their City data, the employee may be subject to disciplinary action up to and including termination.

If a non-exempt employee is instructed or allowed in advance to monitor smartphone voicemails and emails outside of his/her regularly workday, the time spent conducting that task will be considered compensable work hours. All of this type work should be recorded. Employees should log all work performed with a smartphone or access of cloud email/data outside of their regular workday in the following manner:

- Weekly log – Saturday through Friday
- Date and time of work
- Length of time work is performed
- Purpose of work
- Total weekly time using a City-issued smartphone worked outside of regular workday

The log should be submitted to the supervisor at least one time per week (supervisors have the discretion to require the log more frequently). All total weekly time using a city issued smartphone or accessing City cloud data worked outside of the regular work day should be totaled, (rounded up to the nearest 15-minute increment), and recorded at the end of each work week on the base pay record in Employee Self-Service (ESS). Supervisors should use the log and compare time recorded in ESS to ensure that all compensable work time was entered in ESS. The supervisor should also send a copy of the log at the end of each pay period for any employee that recorded additional time to the Human Resources Department.

In order to reduce additional communication outside of regularly scheduled worktime, employees should ensure outgoing voice messages on phones and out-

of-office designation on emails are kept current and contain information that may provide an alternative contact person that is in the office or is the designated on–call contact. Use of smartphones for business use outside of employees' regular work schedules should be limited to critical communication and requires pre-approval by a supervisor.

Sample of log and time recording

| Date | Time | Length of Time | Purpose of Work |
|---|---|---|---|
| 2/25/2017 | | | |
| 2/26/2017 | 7:05 PM | 3 mins | Received voicemail & emailed info to person on duty |
| 2/27/2017 | | | |
| 2/28/2017 | | | |
| 3/1/2017 | | | |
| 3/2/2017 | 5:30 PM | 8 mins | AEC client called modification to show on 3/4/17. Staff notified of change. |
| 3/3/2017 | 10:14 PM | 2 mins | Received voicemail & emailed info to person on duty |
| | | | |
| **Total Time worked** | | **13 mins** | |
| | | | |
| **Time recorded in ESS** | | **15 mins** | |

I have read, understand, and will comply with the City Cell Phone and Cloud Data Usage for Non-Exempt Employees.

_____ _____

**Employee** **Date**

_____ _____

**Supervisor** **Date**

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: TECHNOLOGY REPLACEMENT AND NEW TECHNOLOGY** | **NUMBER: IT-2** |
| **EFFECTIVE DATE: SEPTEMBER 27, 2006** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## TECHNOLOGY REPLACEMENT FUND AND PROCEDURES FOR REQUESTING NEW TECHNOLOGY

### 1. PURPOSE/OBJECTIVES

To establish policy and procedures to ensure that adequate funds will be available to provide for the timely replacement of computers and related technology equipment and to fund that part of the city of Allen's capital budget related to the purchases, thereby stabilizing the budget for computer hardware and software purchases. To provide for such replacement and procurement and administer the disposition of the replaced office computers hardware, software and related equipment. Individual departments will, on an annual basis, transfer funds from their operating budgets to the Technology Replacement Fund for future replacement of computer and related technology equipment included in the program.

The objectives of the Technology Replacement Fund are as follows:

- To allow the City of Allen to utilize technological advancements as they occur.
- To annually allocate funds sufficient to cover future replacement of systems and equipment by the end of its expected useful life. Address project and infrastructure requirements through a multi-year planning and funding strategy.
- To spread the cost of replacing technology equipment over a designated period of time to reduce the impact of large, one-time purchases in a given year
- To provide a centralized method for monitoring the number and cost of technology equipment replacement.
- The City of Allen will stay abreast of emerging trends through an ongoing program of technology evaluation. New technologies often may be introduced through pilot projects where both the automation and its business benefits and costs can be evaluated prior to any full-scale adoption.

### 2. POLICY

2.1 All city of Allen desktop computers will be assigned to the user departments through a designated tracking system.

2.2 All user departments will be charged an annual replacement fee for each computer allocated for their use from the RF, or other sources

such as donations, if they are to be replaced from the RF. Such fee will provide funds to purchase replacement computers.

2.3 Every computer and/or piece of equipment replaced will be returned simultaneously with, or prior to, the allocation of the replacement. A determination will be made prior to the time of the purchase of the replacement as to the disposition of the item being replaced.

2.4 Money received from computers/equipment sold as surplus property will be credited to the RF.

2.5 The RF is for procurement of replacement or upgrade computers and equipment. An annual replacement fee will be charged to the user department/program based on the expected life of the computer/equipment.

## 3.0 FUND REVENUES

3.1 Computer and Equipment Replacement Fees.

A. Replacement Fees.

1. Departments/programs will be charged annual replacement fees for computers/equipment assigned to them, based on their expected useful life.

a. Expected useful life.

1) Computers

| | |
|---|---|
| Desktop Computers | 3 -5 years |
| Laptops | 4 - 5 years |
| Printers | (subject to periodic review) |

The life of some computers/equipment may be adjusted on a case-by-case basis based on utilization.

2) Network Equipment

| | |
|---|---|
| Servers | 3-5years |
| Microsoft, IBM, Lynix, etc. | |
| Networking Infrastructure | 4-7 years |
| Routers, Switch's, Firewalls, etc. | |

b. Fee calculation.

1) Computer/equipment charges will be based upon the normal expected useful life of the Computer/equipment in accordance with the following formula:

**Historical cost of Computer**

Expected life in years = Annual fee

The life of some computers/equipment may be adjusted on a case-by-case basis.

2) Computers/equipment beyond their expected useful life will be charged the normal annual fee, as calculated by 1) above, until replaced or purged from the inventory.

c. Charges to user departments will be reviewed periodically by Information Technology to determine sufficiency as replacement resources.

d. Department/funds will be charged a replacement fee for donated computers/equipment, if subject to replacement.

e. Department/funds will be charged a replacement fee for computers purchased with funds from grants, if subject to replacement.

3.2 Investment Earnings.

A. Temporarily idle funds will be invested, with investment earnings credited to the RF. Such investments will be managed by the Accounting Division.

3.3 Disposition of Surplus Property.

A. Once a purchased computer or piece of equipment has been purged, it will be disposed of by the Purchasing Division. Any revenue from such sale will be credited to the RF.

B. The revenue from donated or grant funded equipment will be credited to the RF unless terms and conditions of the donation or grant dictate otherwise.

## 4.0 REPLACEMENT OF COMPUTERS/EQUIPMENT

4.1 Replacement/Upgrade Criteria. The following criteria will be utilized as a minimum when considering computers/equipment for replacement. Each computer will be assigned a certain level for replacement purposes by the IT Department. Other factors may be used as they are pertinent and appropriate. It is the intent of fund to replace up to 25% of the computers annually.

A. Usage minimum/maximum.

1. Computers/equipment which are used minimally are potential candidates for reallocation or purging, and will be reviewed on a case-by-case basis.

2. High utilization computers where machine capacity (i.e. hard drive, memory, etc.) has been exceeded or where significant computer resources are consumed for repetitive tasks.

3. User requests and comments will be received for consideration and submitted to the Information Technology Director or the Technology Committee.

B. Purpose of use.

1. Is the currently allocated computer/equipment adequately meeting service requirements for the user?

C. Repair/maintenance costs.

1. The history of repair costs to the currently allocated computer/equipment indicate it is too costly to justify retention for an additional year or more.

2. The availability of repair parts and compatible hardware/software.

4.2 Computers and Equipment Reviewed Annually

A. Physical Inventory of Computers

At the direction of the Information Technology Director a physical inventory of computers/equipment may be completed annually. Each department shall submit, upon request, to the Information Technology Director a complete listing of computers that are assigned to their department. The inventory shall include: Asset tag number, description of computer (make, model), and division or program the computer is assigned.

The Information Technology Director shall cross reference the submitted inventories with the previous year's records. Spot field audits to verify submitted inventory lists shall be completed by the Information Technology Director's designee.

B. Information Technology Services staff Review

Computers/Equipment are not necessarily replaced on a set schedule, but rather as they qualify by established criteria. The annual review by the Information Technology Services staff will be the final decision process.

4.3 Budget Request for Replacement of computers outside the established schedule and Request for Procurement of new computer technology**.**

A. When computer/equipment is identified for replacement, the IT Department will notify the Department Director prior to the fiscal year.

a. By early in the 2nd quarter based on the budget calendar, the IT Department will provide a list that identifies the computer/equipment being replaced.

i. Year, model number, hard drive space, memory, and city of Allen's asset number.

B. If a department desires a replacement of an item outside the established schedule a request form (see Exhibit A) will be initiated by the user in conjunction with the annual Information Technology Services solicitation for IT requests.

1. Completion of Request Form.

a. Submitted at the beginning of March, in accordance with the budget calendar set forth by the Finance Department.

b. Identify computer/equipment being replaced.

1) Year, model number, hard drive space, memory, and city of Allen's asset number.

c. Requires a full explanation of the reasons for early replacement.

2. Submitted by user department to the Information Technology Director for consideration and review by the Technology Committee.

a. A review by Information Technology Services staff is performed.

b. The Information Technology Services staff may submit alternatives to the requested replacement/procurement which could better serve the city of Allen. This may include upgrades to existing system or replacement with an existing serviceable unit.

c. The Technology Committee will review the requests and the I.T. staff recommendation prior to April 1st of each year.

C. Request to purchase new Computer Technology

a. A department that would like to request any new computer related equipment including software, hardware, or related technology must provide a request to the IT Department by the beginning of March, in accordance with the budget calendar set forth by the Finance Department._(see attached form)

b. Such request will be considered by the Technology Committee with consideration of the full cost/benefit associated with such investment. The recommendation will be considered with review of how it fits into the City's overall Technology Master Plan.

c. The funding of new items will not be from the Technology Replacement Fund, so determination on a favorable recommendation will be based on available funds through the budget process.

d. If approved, a technology replacement fee will be assessed.

4.4 Budget and Purchase of Replacement/upgrades for the Computer/Equipment.

A. Information Technology will include in its budget all computer replacements approved during the budget process. In cooperation with the user department, a requisition for the approved replacement/upgrade is prepared by the Information Technology Services staff after the budget has been approved by the City Council.

4.5 Replaced Computers/Equipment**.**

A. Every computer and/or piece of equipment replaced will be returned simultaneously with, or prior to, the allocation of the replacement. A determination will be made prior to the time of the purchase of the replacement as to the disposition of the item being replaced.

1. Notice is to be given by Information Technology to the Purchasing and Accounting Divisions of all computers/equipment that are being replaced.

B. Reallocation of unit.

1. Depending on the computers/equipment condition and restoration status, the Information Technology staff could recommend that the returned computer/equipment be reallocated.

a. For budgeted addition, or

b. To replace existing computer/equipment

2. Notice is to be given by Information Technology to the Accounting Division of all computers/equipment reallocated.

C. Disposition of computers/equipment.

1. Computers/equipment not reallocated will be turned over to the Purchasing Division for disposition.

2. The Accounting Division must be notified by Information Technology of the disposition of all computers/equipment which have been replaced.

a. Notice to be given of computers/equipment listed for disposition. Accounting will make necessary adjustment to the fixed asset inventory.

b. Notification will be made by the Information Technology staff.

D. Notification of computers/equipment to be disposed of.

1. The Information Technology staff will nominate, to the Purchasing Division, any computers/equipment to be disposed.

4.6 Donated Computers/Equipment

A. Replacement of computers/equipment which have been donated or received from grants and for which annual fees have been assessed will follow the same criteria and procedures set forth in 4.0 REPLACEMENT OF COMPUTERS/EQUIPMENT in this administrative regulation.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATION DEPARTMENT | |
|---|---|
| **SUBJECT: SMART PHONE ALLOWANCE** | **NUMBER: IT-3** |
| **EFFECTIVE DATE: JUNE 9, 2021** | |
| **AMENDS/SUPERSEDES: JULY 11, 2019** | **APPROVED:**<br>_____<br>**ERIC ELLWANGER, CITY MANAGER** |

I. Policy:

A. This policy addresses the initiation of an allowance for employees using their personally-owned smart phone for business purposes.

B. Approved employees whose job duties require the frequent use of a smart phone will be given a taxable monthly allowance to compensate for business use of an employee-owned device. All employees receiving an allowance will be paid through payroll and will be subject to withholdings such as FIT, FICA, TMRS, etc.

II. Definitions:

A. Smart phone – any cell phone that can use the services provided by the public/private cellular networks and include the ability to use Apps from the Google Play or Apple App Store. For the purposes of this policy, only phones using the Android or iOS operating systems will be supported. The phone must be able to run smart phone apps on a data plan in addition to voice services. Voice-only phones or phones without a data plan are not supported.

B. Conversation – Communication exchange between two (2) or more individuals taking place in voice or data format.

III. Procedures

A. Eligibility

1. Justification for a smart phone allowance should include an explanation of how the device will be used in conducting City business as well as an estimate on the frequency of usage. Justification must be submitted on the Smart Phone Allowance Authorization Form.

2. Interns, contract employees, part-time employees, temporary employees, or consultants will not be eligible to receive Smart Phone allowances unless extenuating circumstances require such an arrangement.

B. Smart Phone Allowance

1. The Smart Phone allowance is not intended to pay the full cost of the employee's monthly usage costs with their provider. It is intended to only cover the reasonable cost that the employee incurs while using the device/service as part of their job duties and responsibilities. The Smart Phone allowance must be approved by the employee's manger. The Smart Phone Allowance guidelines are as follows:

    a) The employee is responsible for procuring and paying for all services and equipment.

    b) Smart Phone allowance is set at $60 per month.

    c) All Smart Phone allowances are taxable income. The allowance does not constitute an increase to base pay and will not be included in the calculation of pay increases or retirement contributions. Taxes incurred as a result of the Smart Phone allowance are the responsibility of the employee and will not be reimbursed to the employee.

    d) The employee must retain an active Smart Phone service contract as long as the allowance is in place. The employee owns the device and may use the device for both personal and business purposes, as needed. Additional features or services may be added at the employee's own expense.

e) At the time this policy is implemented, any employee that was previously issued a City-issued phone and was also using that device as their personal phone (did not carry a separate phone) is authorized to keep the City-issued device. This is a recognition of the expense of obtaining a new phone and provides a transition from a City-issued device to the allowance. Only employees that were carrying a single City-issued phone as their personal phone prior to the implementation of this policy are eligible. Employees that choose this option shall work with the IT department to port the associated phone number to the employee's personal carrier account.

C. Employee Responsibilities

1. Sign the Smart Phone Allowance Authorization Form.

2. Select a device and service provider whose service and coverage meets the requirements of the job responsibilities. If an employee is repeatedly unable to be contacted via their Smart Phone due to problems with the selected mobile service provider, the City may request that the employee change providers.

3. Acknowledge that supervisors may periodically request that the employee provide a copy of the first page of the phone bill in order to verify that he/she has an active mobile communications device. Supervisors may also periodically request documentation of business use to determine the appropriateness of eligibility.

4. Assure availability for communication, be in possession of the Smart Phone, and have it charged and turned on during the days/times as specified by supervisor.

5. Notify supervisor immediately of damaged, lost, or stolen Smart Phones and service cancellations. Employee must secure device/service replacement within three (3) days or a timeframe set by supervisor. Any associated costs for replacement will be the responsibility of the employee. Employees utilizing Smart Phones that store electronic files, data, e-mail messages or other potentially sensitive City data are required to notify Information Technology immediately of the loss or theft. If possible, Information Technology will take appropriate action to ensure the confidentiality of City data, including, but not limited to, remote deactivation of City-sponsored applications loaded on the missing device.

6. Acknowledge responsibility for complying with any contracts the employee enters into with service providers, including payment of all charges incurred. In the event an employee ceases to be employed with the City or becomes ineligible for the allowance, the employee continues to be responsible for the contractual obligations of the service plan.

7. Comply with various policies or laws (i.e.; City policies related to safety while using Smart Phones, state and municipal laws regarding the use of Smart Phones while driving, City's Electronic Communication Policy, etc.) currently in effect which pertain to Smart Phones. Employees whose Smart Phones are capable of accessing the City of Allen's e-mail or other information system are reminded that these systems are intended for official City business only (i.e.; personal e-mails sent through City email system) .

8. Acknowledge that Smart Phone transmissions are not secure and employees should use discretion in relaying confidential City business-related information over a Smart Phone. Conversations (i.e.; voice and data) over a smart phone can be monitored legally or illegally.

9. Acknowledge that Smart Phone records may be subject to the Public Information / Open Records Act. Information generated on, processed by, or stored on a smart phone used for City- related business, as well as all related billing records, is considered as public information and may be subject to requests made by members of the public including the Press. Examples of types of information requested may include, but are not limited to, phone calls, voicemails, e-mails, all types of messaging, photographs, Internet usage, and application usage. Information related to phone conversations typically obtained through the Open Records Act include phone numbers called/received, length of calls, and date/time of calls, except in narrowly defined circumstances.

10. Ensure that Smart Phone's audible/vibrate notification settings are appropriate for current working environment and should not interfere with customers or other employees.

11. Make the personal Smart Phone phone number available for inclusion in the City's telephone and department directories as deemed appropriate by supervisor.

12. Reimburse City for allowances received by employee for periods of inactive service exceeding seven (7) days. In some instances, a prorated amount may apply.

13. Assure that Smart Phones used to access any City information system or which may contain any City data is locked and password protected when not in use.

D. Departmental Responsibilities

1. Once eligibility is established, the department director or designee must submit a completed Smart Phone Allowance Authorization Form to the Information Technology Director for approval and additional processing.

2. The department director or designee must periodically review the need for Smart Phones used by employees for business purposes.

3. The department director or designee has the option of revoking the allowance approval.

E. Information Technology Responsibilities

1. Information Technology will not provide any troubleshooting services for employees who elect to purchase devices other than those recommended by Information Technology. Limited support may be provided for employees purchasing recommended devices.

2. Information Technology will not assume liability for any operating issues or data loss/corruption which may result from a City application/service or from troubleshooting employee- owned Smart Phones.

F. Finance Responsibilities

1. Finance staff will receive the completed and approved authorization form from the IT Director. Finance staff will then add the monthly allowance to the next available payroll period for the employee.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: DATA BACKUP POLICY** | **NUMBER: IT-4** |
| **EFFECTIVE DATE: SEPTEMBER 15, 2022** | |
| **AMENDS/SUPERSEDES: OCTOBER 15, 2020** | **APPROVED:**<br>_____<br>**ERIC ELLWANGER, CITY MANAGER** |

I. Purpose:

A. The purpose of creating and storing backups is to allow restoration from a single file up to multiple server data sets or production databases, especially in the case of a disaster such as ransomware or physical damage such as fire, flood or tornado affecting systems in one of our data centers.

B. This policy details the organization's need for and approach to data backup.

II. Policy:

A. The organization has a duty to make one or more recent copies, or backups, of production data required for operations, business continuity or to help recover from a disaster that affects production data. It also has the obligation to be able to restore that data at a speed that is acceptable to the organization.

B. Records retention is NOT a purpose of backup data. Records should be retained on production systems until those records meet their retention schedule and should be disposed/deleted from production systems in accordance with the law and organizational policy.

C. The IT department does not back up production data stored in a cloud system (e.g. email, OneDrive, Teams, Sharepoint, Activenet, Firehouse, etc.). The cloud hosting provider providing these services have some level of backup and restoration policies that vary according to the vendor and services purchased by the City of Allen.

D. The IT department does not back up any local user data.

III. Definitions:

A. Production data – Data that exists on-premise in servers or network storage that is used in day-to-day operations. This is the data that will be backed up.

B. Local user data – Data stored on personal devices such as desktops,

laptops, mobile devices.

C. Backup data – A copy of production data.

D. Backup target – the device that holds the backup data. This can be on-premise or in the cloud.

E. Cloud – computer systems running outside of the City of Allen data centers, usually for the purpose of storage or running production systems (e.g. O365, Azure Storage, etc.).

F. Recovery Point Objective (RPO) – the point in time of the latest backup for the specified data that is acceptable to the organization to restore in the case the production system needs to be restored from backup. In simple terms, how many minutes/hours/days back in time that would be acceptable if the data had to be restored. Shorter intervals equal higher costs.

G. Recovery Time Objective (RTO) – the amount of time it takes to perform the restoration of a set of data. Shorter intervals equal higher cost.

H. Cohesity – Brand name of the City's current on-premise backup system. Cohesity is disk-based backup, online at all times. It replaces tape-based backup technology.

I. Cohesity View – Network drive location for shared network/user files. These views are another name for a shared network drive and in some cases live only on Cohesity, not a production server.

J. Microsoft Azure Storage – Brand name of cloud-based storage used for backups older than 30 days.

IV. Procedures:

A. Backup timing

1. Backups for virtual servers run every 12 hours.

2. Backups for physical servers run every 12 hours.

3. Backup data is held on-premise for 30 days in Cohesity.

4. Backup data older than 30 days is stored in the Azure Cloud.

5. Backup of Cohesity Views (network drives) that live ONLY on Cohesity are backed up daily to the Cloud and those backups are held for 32 days.

6. Backup data stored in the Azure cloud is stored as monthly snapshots, held for 6 months.

7. Backup data in the Azure cloud is deleted after 6 months.

B. Cloud Storage

1. The City of Allen uses Cloud storage for backup data older than 30 days. The intent of that storage location is for disaster recovery purposes only as there is a significant charge for data retrieval.

2. Backup data in the cloud is placed in Azure Cool Tier storage or Azure Archive Tier storage, which costs less to store than "Hot Tier" but has a charge to retrieve data in case restoration is warranted.

3. Employees can request restoration of any data within 30 days of deletion at no cost to the organization. If an employee requests restoration of data past 30 days and up to 6 months, files are retrieved from cloud storage which does carry a cost. Based on the size and scope of the data retrieval from the cloud, there may be a cost charged back to the requesting department if the data retrieval is optional and not for disaster recovery purposes.

4. In rare instances, some data will be deemed non-critical to business continuity. This data will be backed up to the on-premise Cohesity system and retained for 30 days but will not be stored in the cloud. This always ensures a relatively recent backup but does not incur cloud storage costs for non-critical data.

C. Recovery Point Objectives (RPO)

1. All production data deemed critical to business continuity will have a recovery point at minimum of 24 hours and a maximum recovery point of six (6) months. Depending on the time of day and data set, some data may be available more recently than 24 hours, but it is not within the current backup capabilities to guarantee a shorter recovery point.

D. Recovery Time Objectives (RTO)

1. The objective is to be able to restore requested data within 24 hours. If multiple systems are affected and needing restoration, that time window may stack sequentially for each request.

2. Recovery time depends on the size of the data set being restored, and if the data is on-prem or in the cloud.

3. Data restored from the previous 30 days lives on Cohesity within our fiber network. The data restoration time would be similar to copying

the size of the restored data set from one server to another. Individual files or directories may restore in a few seconds, while large data sets like databases or video may take hours, up to days for multiple servers.

4. Data restored from the cloud will travel the City's 1Gbps inbound internet link. Depending on internet traffic, this will be slower than our internal network but still relatively fast. In addition, there will be up to 24 hours until the requested files are ready to be restored due to how the cloud provider stores long term archival data.

E. Request Procedure

1. All restoration requests should be made via a help desk ticket.

2. The help desk team will either restore the files upon request or escalate to a system administrator if the restoration is significant in size, complex in nature, or related to a critical system (public safety, finance/HR, GIS, etc.).

3. If restoration is required from the Azure Cloud, the requesting department will need to work with IT to estimate the data size so an approximate cost of restoration can be calculated. At that time a determination will be made if the value of the data is worth the cost of restoration.

F. Backup Validation and Testing

1. At least one file will be restored from the on-premise Cohesity backup every fiscal quarter to validate the data restoration process

2. At least one virtual machine will be restored and validated from the on-premise Cohesity backup every fiscal quarter to validate the data restoration process.

3. At least one file will be restored from the Azure archive repository every fiscal quarter to validate the cloud-based backup storage and retrieval process.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATION DEPARTMENT | |
|---|---|
| **SUBJECT: Information Security Awareness and Training Policy** | **NUMBER: IT- 5** |
| **EFFECTIVE DATE:** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:_____<br>ERIC ELLWANGER, CITY MANAGER** |

II. Purpose:

A. Protection of the organization's intellectual property and personal and confidential information is a major concern taken with high consideration.

B. To aid in this protection, end-user security awareness and training ensures that users of City of Allen employees understand the information security, risk, and privacy implications of their actions. This includes the increase in the likelihood of a data breach or compromise due to the malicious exploitation of the user or accidental data disclosure. Extensive training to all employees, staff, and contractors is then given to mitigate this likelihood.

C. The goal is to ensure users understand the risks they have when using information technology, how to defend against malicious threats, and how to react to information security events or incidents, whether at work or at home.

III. Scope:

A. This Security Awareness Training Policy applies to all users who have an organizational email of City of Allen. This includes all employees, (full time or part time), contractors, consultants, partners, or other third parties.

IV. Exceptions to Training Requirements:

A. The training requirements do not apply to employees and officials who have been:

1. Granted military leave;

2. Granted leave under the federal Family and Medical Leave Act of 1993 (29 U.S.C Section 2601 et seq.);

3. Granted leave related to a sickness or disability covered by workers' compensation benefits, if that employee no longer has access to the state agency's or local government's database and systems;

4. Granted any other type of extended leave or authorization to work from an alternative work site if that employee no longer has access to the state agency's or local government's database and systems; or

5. Denied access to a local government's computer system or database by the governing body of the local government or the governing body's designee for noncompliance with the training requirements

V. Governing Laws, Regulations, and Standards

A. Guidance

1. Texas Government Code 2054.519

B. Clarification/Section

1. Section 2054.5191 requires state and local government employees and officials to complete a certified training program

VI. Policy:

A. All users that are within scope of this policy will be required to undergo information security awareness and training administered by City of Allen.

B. This awareness and training will take place in the form of:

1. New employee computer-based training to be taken within 60 days of employment start.

2. Annual computer-based training to be completed every 12 months.

3. Scheduled and unscheduled awareness tests as deemed to occur by the IT Department.

C. Upon completion of each security awareness training session, all employees will be required to digitally acknowledge receipt and review of this and other related policies, understand the purpose of the training and the specific procedures taught, and that they intend to abide by City of Allen’s security policies

D. All training completion and results from any surveys or tests will be maintained in the training system

E. In addition to formal awareness and training, we will provide continual reinforcement material to improve overall awareness and training. This

will take the form of:

1. Weekly Emails

2. Periodic warnings or reminders via email or intranet post

VII. Non Compliance and Enforcement

A. Users may be considered non-compliant if:

1. A user fails to adhere to the required awareness and training.

2. A user fails periodic assessments

3. A user who continually fails the ability to carry out expected actions from awareness and training.

B. Any user under scope of this policy and procedures must adhere to the stipulated requirements. Any user that is non-compliant and in violation of the parameters of this policy or procedure will be considered a security incident and will require enforcement actions according to the severity and nature of the incident.

C. Any user under scope of this policy who fails to adhere to the policy may be subject to disciplinary action up to and including employment termination. Violation of any of the constraints of these policies or procedures may be considered a security breach and depending on the nature of the violation, various sanctions may be taken:

1. A minor breach may result in written reprimand.

2. Multiple minor breaches or a major breach may result in suspension and/or loss of internet access.

3. Multiple major breaches may result in termination.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: TECHNOLOGY POLICY** | **NUMBER: IT-6** |
| **EFFECTIVE DATE: JULY 25, 2023** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**ERIC ELLWANGER, CITY MANAGER** |

I. Purpose:

On June 14, 2023, Governor Greg Abbott required (https://capitol.texas.gov/Billlookup/History.aspx?LegSess=88R&Bill=SB1893) all municipal governments to ban the video-sharing application TikTok from all government- owned and government-issued devices and networks over the Chinese Communist Party's ability to use the application for surveilling Texans.

In addition to TikTok, City of Allen may add other software and hardware products with security concerns to this policy and will be required to remove prohibited technologies which are on the DIR prohibited technology list. Throughout this Policy, "Prohibited Technologies" shall refer to TikTok and any additional hardware or software products added to this Policy.

II. Scope

This policy applies to all City of Allen full and part-time employees including contractors, paid or unpaid interns, and users of local government networks. All City of Allen employees are responsible for complying with the terms and conditions of this policy.

III. Policy:

A. City-Owned Devices

Except where approved exceptions apply, the use or download of prohibited applications or websites is prohibited on all city-owned devices, including cell phones, tablets, desktop and laptop computers, and other internet capable devices.

The City of Allen must identify, track, and control city-owned devices to prohibit the installation of or access to all prohibited applications. This includes the various prohibited applications for mobile, desktop, or

other internet capable devices.

The City of Allen must manage all city-issued mobile devices by implementing the security controls listed below:

I. Restrict access to "app stores" or non-authorized software repositories to prevent the install of unauthorized applications.

2. Maintain the ability to remotely wipe non-compliant or compromised mobile devices.

3. Maintain the ability to remotely uninstall un-authorized software from mobile devices.

4. Deploy secure baseline configurations, for mobile devices, as determined by City of Allen.

B. Network Restrictions

DIR has blocked access to prohibited technologies on the state network. To ensure multiple layers of protection, City of Allen will also implement additional network-based restrictions to include:

I. Configure agency firewalls to block access to statewide prohibited services on all agency technology infrastructures, including local networks, WAN, and VPN connections except where allowed by Exception below.

C. Ongoing And Emerging Technology Threats

I. To provide protection against ongoing and emerging technological threats to the state's sensitive information and critical infrastructure, DPS and DIR will regularly monitor and evaluate additional technologies posing concerns for inclusion in this policy.

2. DIR will host a site that lists all prohibited technologies including apps, software, hardware, or technology providers. The prohibited technologies list current as of January 23, 2023, can be found at Addendum A. New technologies will be added to the list after consultation between DIR and DPS.

3. City of Allen will implement the removal and prohibition of any listed technology. City of Allen may prohibit technology threats in addition to those identified by DIR and DPS.

III. Policy Compliance:

All employees shall digitally acknowledge a document annually

confirming their understanding of this policy.

Compliance with this policy will be verified through various methods, including but not limited to, IT/security system reports and feedback to agency leadership.

An employee found to have violated this policy may be subject to disciplinary action, including termination of employment.

IV. Exceptions

Exceptions to the ban on prohibited technologies may only be approved by the executive head of City of Allen or a designee.

Exceptions to the policy will only be considered when the use of prohibited technologies is required for a specific business need, such as enabling criminal or civil investigations or for sharing of information to the public during an emergency. 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.

V. Version History

This table summarizes the major edits, i.e., edits affecting transition points, process changes, system changes, and/or role changes.

| Version | Date | Responsible | Revision Summary |
|---|---|---|---|
| 1.0 | June 20, 2023 | Eric Matthews | Document Creation |

VI. Addendum A

The up-to-date list of prohibited technologies is published at https://dir.texas.gov/information-security/prohibited-technologies. The following list is current as of January 23, 2023.

**Prohibited Software/Applications/Developers**

- TikTok
- Kaspersky
- ByteDance Ltd.
- Tencent Holdings Ltd.
- Alipay
- CamScanner
- QQ Wallet
- SHAREit

- VMate
- WeChat
- WeChat Pay
- WPS Office
- Any subsidiary or affiliate of an entity listed above.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: ADVERTISING PROCEDURES** | **NUMBER: PAMRO-1** |
| **EFFECTIVE DATE: FEBRUARY 2, 2000** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## ADVERTISING PROCEDURES

### A. PURPOSE

The purpose of these procedures is to establish guidelines for City advertising in order to avoid conflict of interest or the appearance of favoritism.

### B. APPROPRIATE ADVERTISING

Advertising is permitted for the following purposes:

1. Legal notices as determined by local, state or federal law.

2. To publicize an event, program or activity the City of Allen, City Council or City boards and commissions are sponsoring alone or with other entities.

3. To announce City Council general elections or openings on any of the City's boards and commissions.

### C. RESPONSIBILITIES

1. City staff is responsible for submitting ads by deadline to the appropriate media. The Public Information Officer will assist as needed or requested.

2. The cost of advertising will be paid by the department placing the ad.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: CITY CABLE CHANNEL & VIDEO PRODUCTION** | **NUMBER: PAMRO-2** |
| **EFFECTIVE DATE: April 7, 2003** | |
| **AMENDS/SUPERSEDES: FEB. 14, 2001** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## CITY CABLE CHANNEL & VIDEO PRODUCTION POLICIES & PROCEDURES

### I. PURPOSE

The purpose of this manual is to outline the procedures for programming of the City's cable television channel and in-house video production services. City 6 is a government channel. There are no legal requirements to broadcast any type of programming that is not government related. City 6 is dedicated to providing programming that is centered on government programs, activities, and services.

### II. OBJECTIVES

The primary objectives of the City of Allen cable channel are as follows:

- To increase awareness of activities and deliberations of legislative and advisory bodies of the City of Allen.
- To provide information to the citizens of Allen concerning the services, facilities, functions and operations of the City.
- To assist and encourage citizen participation in City programs and services to the maximum extent possible by providing general information.
- To assist with the internal training of City departments.
- To provide information on public health, safety, and welfare issues.

### III. PROGRAMMING

### A. TYPES OF PROGRAMMING

The Public Information Office offers three (3) basic programming services.

1. **Community Bulletin Board** – Informational messages displayed in typewritten or graphic form. The bulletin board is in operation when no other programming is scheduled.

3. **Live Cablecast** – The televising of an event as it is happening. Live coverage of City events will include, but is not limited to, City Council meetings, Planning and Zoning Commission meetings, and special

meetings as requested by City departments only. Live events may be taped for archival or rebroadcast purposes.

**3.** **Tape Delayed Cablecast** – A program or event videotaped for cablecast at a later time. City Council meetings and Planning and Zoning Commission meetings will be cablecast both live and by tape delay at set times during the week.

**a.** **In-House Productions** – A program or event produced by the City of Allen Public Information Office.

i) Public Service Announcements (PSA's) – Short videotaped spots announcing events or issues of importance to the citizens of Allen produced by the City of Allen Public Information Office. This includes City 6 station ID's.

ii) Training Tapes – Instructional videotapes used to discuss, outline, and/or summarize departmental functions or techniques. Training tapes shall be produced by the City of Allen Public Information Office for internal use and can be cablecast on City 6 when appropriate.

iii) Informational Programming – Programs on a variety of topics produced by the City of Allen Public Information Office for cablecast at a later time, such as Access Allen, AEDC's Business Landscape, and City produced training tapes.

iv) Documentation – The videotaping of a meeting or event for educational, training or archival purposes.

b. **Outside Productions** – A pre-recorded program or public service announcement (PSA) produced outside of the City of Allen Public Information Office.

## B. REQUESTS FOR PROGRAMMING

1. **Procedure**

a. Requests for the Community Bulletin Board, including graphics, must be submitted in writing or via E-mail to the Public Information Officer.

b. Requests for programming other than the Community Bulletin Board must be made in writing on a Production Request Form to the Public Information Officer.

c. Production Request Forms are available through the Public Information Office and on the City's Common Drive.

d. All requests are subject to the approval of the Public Information Officer and the availability of the video production staff and equipment.

2. **Request Deadlines** – In order to allow for proper production, scheduling and publicity, requests must be submitted according to the following guidelines:

a. ***Community Bulletin Board***: Requests must be received fifteen (15) business days in advance of the scheduled event.

i) Information that changes frequently, such as job listings, will be updated as necessary.

ii) Information that is not date specific will be aired at the discretion of the Public Information Office staff.

iii) Critical notices (i.e., Homeland Security or severe weather) will be displayed in text only format on the scrolling ticker tape located at the bottom of the viewing screen and will be updated as necessary.

b. ***Live Cablecast:*** Requests must be received at least ten (10) working days prior to the meeting or event.

c. ***Taped Cablecast / Video Production (program)***: Requests must be made at least three (3) months in advance of the intended cablecast date or deadline.

d. ***Public Service Announcements***: Requests must be received one (1) month in advance of the intended cablecast date.

3. **Departmental Responsibilities** – City departments requesting program development must be willing to assist in producing the program.

a. The requesting department shall be responsible for content development and script outline development. The Public Information Office shall be responsible for planning, creative concept, script writing, shooting, editing, post-production, and distribution.

b. The requesting department shall identify a contact person to provide necessary information, persons and props to be used for the production and on-air presentations. The contact person and/or the department director shall be available as needed to approve program content.

c. The requesting department may be asked to pay tape duplication and other related production costs.

## IV. CABLECAST POLICY

City cable channel programming will adhere to the following procedures and guidelines:

A. Programs must not contain:

1. any material that is obscene, libelous, slanderous, or knowingly violates any federal, state or local laws; lottery, gambling, or pari-mutuel schemes;

2. material designed to promote the sale of products or services; or promotions and endorsements for individuals seeking public office;

3. solicitation of funds;

4. material or performances that require copyright or trademark authorization unless written authorization for the use of such materials is secured; and,

5. material promoting a specific religious viewpoint.

B. All programs cablecast on City of Allen's cable channel must be non-commercial and may not identify services or goods by cost or price. Guests may be identified as a representative of a business. Commercial or business representatives' telephone numbers and addresses may not be stated or displayed during the program, but may appear in the program credits.

C. Pre-recorded programs and Public Service Announcements (PSA's) produced outside the City of Allen must be submitted to the Public Information Officer for approval based on appropriateness and available air time.

D. Programs created by outside producers must first obtain indemnification of the City from liability arising from the content of the program.

E. Programming material discussing partisan issues will adhere to the Federal Communications Commission's (FCC) equal time guidelines found in the Communications Act of 1934, Section 315. For example, candidates for public

office may not make political statements unless he or she is participating in a forum.

F. All programming scheduled on the City's cable channel will be subject to laws, rules and regulations present in the Cable Television Consumer Protection and Competition Act of 1992 and subsequent FCC regulations.

## V. TECHNICAL STANDARDS

Tapes submitted for playback on the City's cable channel must conform to the following technical guidelines and are subject to the technical discretion of City 6 personnel:

A. **Format:**

1. One-half inch (½") S-VHS tapes are preferred, although high quality VHS tapes may be accepted and must be recorded in SP mode (2 hour speed).

2. Digital media in DVD and mini-DV tape format are acceptable.

B. **Video:**

1. A videotape must not contain any skewing, burst, blanking, sync, or tracking problems or errors. The composite video signal, when viewed on a waveform monitor, must not be less than 65 IRE or greater than 100 IRE, with black level at 7.5 IRE.

2. Each videotaped program must be preceded by 30 seconds of black from the head of the tape, with the first video program appearing at 31 seconds.

3. All videotapes must have continuous control track from the beginning of the tape, including pre-roll, through the end of the program and post-roll black.

4. Digital media must not have any digital artifacts.

C. **Audio:**

1. The audio signal on videotape must not contain any hum, buzz, feedback or signal loss exceeding five (5) seconds. Audio should peak at 0 VU plus or minus 2 VU and be recorded on normal audio tracks. Hi- fi tracks on S-VHS shall not be used.

2. Digital audio must not be over-modulated.

D. All media must be labeled with the producer or sponsoring agency's name, program title, production date, and exact running time from first video to last.

## VI. RESPONSIBILITIES

The operation and programming of the City's cable television channel is the responsibility of the Public Information Office.

### A. Public Information Officer (PIO)

1. The PIO will approve all scripts, prospective guests, editorial content, subject matter and production quality prior to the broadcast.

2. The PIO will protect the City's copyrights as provided by law.

3. Any requests to use City video products in a commercial manner or to be sold or distributed in whole or in part must have the PIO's written consent.

4. The PIO will respond fairly and in a timely manner to any complaints regarding the City's cable television channel operations.

### B. Video Production Specialist

1. The Video Production Specialist will not edit the cablecast of public meetings or subject the same to editorial comment except for technical difficulties.

2. The audio/video facilities and equipment are to be maintained by the Video Production Specialist, who will not permit either to be used for inappropriate purposes or be subjected to improper wear and tear and insufficient maintenance.

### C. Video Production Assistant

The Video Production Assistant will perform duties as assigned by the PIO or the Video Production Specialist to assist in maintaining established procedures.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: CITY WEBSITE COPYRIGHT** | **NUMBER: PAMRO-3** |
| **EFFECTIVE DATE: MARCH 15, 2004** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## CITY WEBSITE COPYRIGHT

### I. PURPOSE

This policy sets out requirements regarding copyright restrictions on the City of Allen's official website.

### II. POLICY

Certain materials contained within the City of Allen's website may be entitled to copyright, servicemark or trademark protection under state and federal law. Such materials remain the property of their respective owners and unauthorized use or republication of those materials may be subject to a legal action for infringement. Except to the extent allowed by law, the use or replication of the materials contained in this website is prohibited without the written permission of the City of Allen.

Commercial use of the City's website and contents contained herein is prohibited without advance, written permission from the City of Allen. Viewers may print copies of information provided on the City's website for personal use and may refer to City websites in documents.

Trademarks not owned by the City that appear on this site are the property of their respective owners, who may or may not be affiliated with, connected to, or sponsored by the City of Allen. Full rights are retained by the owners of those trademarks and servicemarks.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: CITY WEBSITE – DEPARTMENTAL PAGES** | **NUMBER: PAMRO-4** |
| **EFFECTIVE DATE: JUNE 8, 2004** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## CITY WEBSITE – DEPARTMENTAL PAGES

### I. PURPOSE

The purpose of this policy is to establish design guidelines for City website departmental pages designed and updated by the departments themselves.

### II. BACKGROUND

A Website Committee was established in January 2002 to review the City's website, oversee an overall site redesign and to set guidelines for the future development of the site. The committee was comprised of representatives from the Library, Planning and Development, Building and Code Compliance, Police, Fire, Parks and Recreation, Administration, IT and Public Information departments. One of the committee goals was to set up guidelines for departments that wished to design and update their own departmental pages. These guidelines were developed by the committee as a whole and adopted by the group in mid-2002.

### III. POLICY

The guidelines for departmental web pages are as follows:

**Banner Graphic:**

1. A common City banner graphic was approved by the Website Committee to be used as a unifying element in all departmental web pages.
2. The banner must be used at the top of the first page of a department's web pages.
3. The banner does not have used on any departmental pages other than the first page.
4. Links will be provided to pages listed on the graphic.

**Page Design:**

1. Information can be centered or left-justified on the page, however, the design on the departmental first page can be no wider than 700 pixels.

2. Pages designed wider than 700 pixels must be set to dynamic viewing, to allow the information to resized according to the viewers' screen defaults.
3. Text type must be Arial and size must be 10 point.

**Uploading Departmental Web Pages**

All web pages will be uploaded to the web server by the Public Information Officer or Video Production staff, in the absence of the Public Information Officer, per the City Manager.

## IV. REVISIONS

As the City website continues to develop, there will be a continual need for redesigns. To keep up with this need, the departmental page policy will need to be revised as necessary. Any future policy revisions will first be taken to the Website Committee for discussion and approval. If the committee approves the revisions, the changes will be made in the Administrative Policy and sent to the City Manager for approval and signature.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: CITY WEBSITE LINK** | **NUMBER: PAMRO-5** |
| **EFFECTIVE DATE: MARCH 15, 2004** | |
| **AMENDS/SUPERSEDES: NO. 6** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

# CITY WEBSITE LINK

## I. PURPOSE

This policy sets out requirements regarding linking from and to the City of Allen's official website.

## II. DISCLAIMER

The City of Allen website contains links to other Internet sites and resources as a convenience to the viewer. The City of Allen is not responsible for, and accepts no liability for, the availability of these outside resources. Linked websites are not under the control of, nor maintained by, the City of Allen and the City is not responsible for the content of these websites, which can and do change frequently; nor for any internal links the displayed websites may contain. In addition, the inclusion of a linked website does not constitute an endorsement or promotion by the City of Allen of any of these sites or materials found there.

Viewers should also be aware the City of Allen is not responsible for the privacy practices of those site when linked to them through the City's website. Viewers must be aware when they leave the City's website via links to other sites, the information found is beyond the scope of City control. These other sites may send their own cookies to users, collect data or solicit personal information. Viewers should read the privacy statements on these linked websites. The City of Allen's privacy statement pertains only to the website under its sole control.

## III. LINKS TO OTHER SITES

The purpose of the City of Allen website is to promote the programs, services, policies and objectives of the City of Allen. The City reserves the right to refuse any website link or to delete links already posted at any time, in conformance with this policy, without notice.

Any request for an external link will undergo review to determine its relevance and appropriateness, using the following criteria:

The City **will consider** providing a link to the following types of websites:

- a federal, state or local governmental agency or public school;

- a community organization that receives funding from the City of Allen;
- a City board, commission or committee;
- agencies, organizations and companies sponsoring or otherwise participating in City activities as related to that City activity;
- companies or non-profit organizations that provide a public service to the community;
- companies and organizations that provide life-sustaining, public safety and public health information;
- an established news-gathering organization, being either a newspaper of regular, paid circulation or a television station that provides local news regularly and maintains a national network affiliation; and
- local "web portals" which direct users to community services in the City of Allen.

The City **will not consider** providing a link to the following types of websites:

- businesses or non-profit organizations unless they fit any of the criteria stated above;
- political campaigns and endorsements;
- political organizations or other organizations advocating or opposing a local, state or federal issue or ballot proposal;
- adult material not related to health education;
- promotion of illegal materials or information, such as hate speech or obscene content;
- religious organizations or the promotion of religious information; and
- individual or personal websites.

**Links to Websites Containing Advertising**

Certain private websites to which the City of Allen may provide an external link may include advertising or promotional material in the information display. The City of Allen is not responsible for nor supports or promotes such advertising.

## IV. LINKS TO THE CITY OF ALLEN'S WEBSITE

It is not necessary to obtain advance permission to link to the City of Allen's website if you are making a simple link to the homepage. Please note the City of Allen may change URLs and subpage paths at any time.

Links to the City's website must not be made within frames or otherwise present the City's content as that of an outside site. Any link to the City's site should be a full

forward link that passes through the client browser to the City's site unencumbered. The BACK button should return the viewer to the external website, if they wish to back out of the City's website. Although content on the City's website is public information, the City of Allen maintains and will defend a copyright interest in these pages.

Do not link directly to individual graphics or tables within the City's websites, especially in an effort to place the downloading burden on the City's server. Such action may be considered a misuse of City resources. Contact the City of Allen's Public Information Office to get permission to use a copy of the City's graphics on external websites.

## V. REMOVAL PROCESS

The City of Allen may remove any external link for the following reasons:

- the website no longer fits the aforementioned criteria;
- the link no longer points to the original information or resources for which it was approved;
- the link points to information that is inaccurate, misleading or otherwise violates the aforementioned criteria;
- access to the information has become difficult due to non-standard formatting, lengthy download times or intrusive advertising; and
- the link is permanently unreachable or remains unavailable for a lengthy period.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: CITY WEBSITE PRIVACY** | **NUMBER: PAMRO-6** |
| **EFFECTIVE DATE: MARCH 15, 2004** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## I. PURPOSE

This policy sets out the City of Allen's privacy practices regarding information collected from viewers on the City's website.

## II. DISCLAIMER

The City's privacy policy applies only to the City's website. When a viewer follows a link to another website, this policy does not apply. Viewers should check the privacy policy of each of these other websites with regard to how they handle personally identifiable information.

## III. POLICY

The City of Allen does not sell or rent personally identifiable information. Information provided to the City of Allen, including e-mails, may be subject to the Texas Public Information Act and applicable federal legislation. Information regarding the Texas Public Information Act is available online from the office of the Texas Attorney General at www.oag.state.tx.us/opinopen/opengovt.shtm .

The City of Allen's website utilizes server logs and log analysis tools to create summary statistics about the use of the website. The summary statistics are used for purposes such as assessing what information is of utmost interest to viewers, determining technical design specifications and identifying system performance or problem areas.

For certain online forms, the viewer will be asked to enter certain personal information which will vary depending on the form. Whenever personal information is requested from the viewer on the City's website, there will be an indication of whether the disclosure of such information is mandatory or optional.

The City's online surveys may ask for contact information and/or demographic information. The City uses contact data from surveys to identify who completes the survey. Demographic and profile data is used for compilation purposes pertaining to the survey subject matter only.

Except for law enforcement investigations, no other attempts are made to identify individual viewers of the City's website or their viewing habits. The City of Allen may be required by law enforcement or judicial authorities to provide personally

identifiable information to the appropriate enforcement agencies. The City of Allen fully cooperates with law enforcement agencies in identifying those who use the City's services for or in connection with illegal activities. The City reserves the right to report to law enforcement agencies any activities it, in good faith, believes to be unlawful.

For site security purposes, the City of Allen has security measures in place to monitor network traffic to identify unauthorized attempts to upload or change information, or otherwise cause damage. Unauthorized attempts to upload or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and the National Information Infrastructure Protection Act.

**City of Allen website**

**Disclaimer**
The City of Allen maintains this website access to City information. Continual changes are made to this website and, therefore, the information is subject to change, removal or relocation without notice. It is the City's goal to keep the most current and accurate information available to the public on this site, however, varying events can occur that could affect the timeliness of the information and accuracy of the content.

The City of Allen does not warrant or make representations or endorsements as to the quality, content, accuracy or completeness of the information, text, graphics, links and other items contained in this website or any other website. Such materials have been compiled from a variety of sources and are subject to change without notice from the City of Allen. The City of Allen, as well as its officers, directors and employees, will not be liable for damages of any kind rising from the use of this website, regardless of the cause.

**Public Forum Issues**
The City's website and the selection of external sites contained within the website are not intended to serve as a forum for free discussion. The City's website is not maintained as a public forum.

**Advertising**
The City of Allen website does not contain advertising for the purpose of commercial gain and will not accept requests for such. Some external links may contain commercial advertising. However, such links do not imply the City's responsibility for or endorsement of such advertising.

Except to the extent required by law, communications made through e-mail and message systems shall in no way be deemed to constitute legal notice to the City of Allen or any of its agencies, officers, employees, agents or representatives relating to any existing or potential claim against the City where notice to the City is required by any federal, state or local laws, rules or regulations.

The City of Allen's website is maintained by the City's Public Information Office, in conjunction with the Information Technology Department.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: MEDIA RELATIONS POLICY** | **NUMBER: PAMRO-7** |
| **EFFECTIVE DATE: MARCH 28, 2003** | |
| **AMENDS/SUPERSEDES: MEDIA RELATIONS POLICY – JUNE 25, 2000** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## MEDIA RELATIONS

### I. PURPOSE

The purpose of this policy is to establish guidelines for the release of information to the media by City of Allen employees, City Council members and City board/commission members.

### II. POLICY

All information that is a matter of public record will be made available to the media through proper channels and at appropriate times. Information which is not a matter of public record and, for legal purposes is normally not released, will not be released without authorization, as needed, of the City Manager, Human Resources Director, the appropriate department director and/or legal counsel. All such decisions should be made with the understanding that releasing to or withholding information from the media is, in effect, releasing to or withholding the information from the public.

### III. RESPONSIBILITIES

All City employees, as well as Council and board/commission members, can expect to be contacted by the media regarding information about the City of Allen. Responsibility for responding to such inquiries is as follows:

**1. City Manager, Assistant City Manager, City Secretary**

a. These positions are expected to respond to media inquiries with appropriate information and/or other points of contact.

b. The City Manager is expected to keep the City Council informed on a timely basis of any potentially controversial or sensitive matter, especially if media attention is expected or has already occurred.

**2. Department Directors**

a. Directors are expected to respond to media inquiries with appropriate information and/or other points of contact.

b. Directors are expected to contact the City Manager, Public Information Officer, Human Resources Director and/or legal counsel in regard to potentially controversial or sensitive matters, particularly if media attention is expected or has already occurred. Such incidents include, but are not limited to:

- Controversial statements, accusations or debates occurring in meetings of advisory boards and/or commissions.
- Disruptions in City services.
- Personnel problems such as suspensions and resignations of key staff and possible employee strikes or walk-outs.
- Accidents or other incidents resulting in the injury or death of a City employee.
- Accidents or other incidents that involve City employees or property resulting in the injury or death of a citizen.
- Litigation filed or decisions rendered regarding the City.

c. Directors are expected to notify the Public Information Officer of any contact with the media. Police personnel should report such contact to the Media Relations Officer.

d. Directors are expected to designate a representative from his/her department to speak in the director's absence.

**3. Public Information Officer (PIO)**

a. The Public Information Officer serves as the primary liaison between the media and City departments, excluding the Police Department in most situations.

b. The PIO serves as the backup for the Media Relations Officer in most situations where the MRO is unavailable.

c. The PIO will assist City employees, Council and board/commission members with media inquiries, news releases and interviews, as needed.

d. The PIO is responsible for coordinating news conferences at the request of the City Manager, department directors, the Council and board/commission members, excluding the Police Department in most situations.

e. The PIO will serve as the Emergency Public Information Officer as outlined in the City of Allen's Emergency Management Plan, Annex I: Public Information.

**4. Media Relations Officer (MRO)**

a. The Media Relations Officer serves as the primary liaison between the media and the Police Department.

b. The MRO will serve as backup for the Public Information Officer in situations where the PIO is unavailable.

c. The MRO will assist the Chief of Police, Assistant Chief of Police and Police Captains with media inquiries and news releases, as set out in Police General Order No. 3000.

d. The MRO is responsible for coordinating news conferences concerning Police matters at the request of the Chief of Police, Assistant Chief of Police or Police Captains.

e. The MRO is responsible for making a copy of the front page of an incident report available to the media.

**5. Employees**

a. Employees will direct media inquiries of any type to his/her department director or designated representative.

**6. City Council and City Board/Commission Members**

The City Council and City's Board/Commissions are responsible for answering media inquiries regarding decisions made by that body. Members who vote in the minority are free to express their dissent but should respect the majority decision. Also, individual members should refrain from making comments on behalf of the entire group, unless specifically asked to do so by that body.

## IV. OFFICIAL RELEASES OF INFORMATION

**1. News Releases**

a. The Public Information Officer will handle most routine news releases for City departments, excluding the Police Department in most situations. Any time a news release is issued by someone other than the PIO, a copy must be sent to the PIO.

b. The City's news release template is located on the City's shared network at *N:\Common\Public Information*.

c. New releases for all City departments will be retained by the Public Information Officer.

d. Departments will retain news release copies as determined by that department's policy.

**2. News Conferences**

a. News conferences will be arranged by the Public Information Officer or City Manager's Office for all departments, excluding the Police Department in most situations. The Media Relations Officer will handle such requests for the Police Department.

b. The Public Information Officer and Media Relations Officer will be responsible for setting a location, notifying the media, making sure appropriate personnel are in attendance and prepared to answer questions and handling follow-up requests by the media.

## V. TEXAS PUBLIC INFORMATION ACT

The Texas Public Information Act, Chapter 552 of the Texas Government Code, is the law that governs access to information held by state and local governmental bodies. The act provides that all information that is collected, assembled or maintained by or for a government body in connection with public business is presumed to be public information. Information may only be withheld is it falls within one of the act's exceptions to disclosure.

1. Under the act, the following positions are considered "officers of public information":

   - Chief administrative officer
   - Department directors
   - Anyone designated by the chief administrative officer to act in such a capacity

In the City of Allen, the City Manager, City Secretary, Public Information Officer and all department directors are responsible for being familiar with the Texas Public Information Act and responding to formal requests for information under the act.

2. If any employee, other than those listed above, receives a formal request for information under the Texas Public Information Act, he/she must be forward the request immediately to the Public Information Officer or, if the request is received by a Police Department employee, to the Media Relations Officer.

3. Any information requested under the Texas Public Information Act must be made in writing – oral requests are not binding. The written request can be delivered in person, mailed, faxed or sent via E-mail.

4. If it is unclear whether or not information is considered public, contact the City Manager, Public Information Officer, Human Resources Director and/or legal counsel. Guidelines for the release of information concerning incidents involving the Police Department, such as arrest sheets, the arrest blotter, offense reports and the like, are outlined in Police General Order No. 3000.

## VI. EMERGENCY MANAGEMENT PLAN – RELEASE OF INFORMATION

The release of information during an emergency or disaster is addressed in the City of Allen's Emergency Management Plan, Annex I: Public Information. The following is a summary:

1. All information will be released from the Emergency Operations Center. Information from the scene(s) will cease unless specifically authorized by the Emergency Management Coordinator and the Emergency Public Information Officer.

2. All information released to the media will be routed through the Emergency Public Information Officer, who will work with the Emergency Management Coordinator in releasing the information.

3. Information will be released to the media via news releases and news conferences conducted at a pre-designated media staging area unless specifically authorized by the Emergency Management Coordinator and Emergency Public Information Officer.

| CITY OF ALLEN PROCEDURE MANUAL<br>ADMINISTRATIVE DIRECTIVE | |
|---|---|
| **SUBJECT: CITY COMMUNICATION PLAN** | **NUMBER: PAMRO-8** |
| **EFFECTIVE DATE: OCTOBER 1, 2014** | |
| **AMENDS/SUPERSEDES:** | **APPROVED:**<br>_____<br>**PETER H. VARGAS, CITY MANAGER** |

## CITY OF ALLEN COMMUNICATION PLAN

### I. PURPOSE

The purpose of the 2014-2017 City of Allen Communication Plan is to outline the structure with which the City provides information to its citizens, customers and partners. The City of Allen is committed to providing consistent and engaged communication to grow informed participation, enhance community pride and improve overall livability.

### II. POLICY

The summary of goals/objectives outlined in the Communication Plan is as follows:

- Make information about City programs and services readily available and easy to understand.
- Create communication consistency throughout the organization.
- Maintain positive working relationships with members of the media.
- Responsibly communicate with City employees.

### III. REPONSIBILITIES

Everyone who represents the City government in any official capacity can be considered a communicator for the City. The Plan outlines strategies and tactics that can be applied across all departments and coordinated by the Public and Media Relations Office.

### IV. THE PLAN

Following is the 2014-2017 City of Allen Communication Plan.

2017 - 2020

# City of Allen Communication Plan




CITY OF ALLEN

**Public and Media Relations Office**

305 Century Parkway

Allen, TX 75013

214.509.4153

CityOfAllen.org

2017 – 2020

# City of Allen Communication Plan

Public and Media Relations Office

*City of Allen Mission Statement:*

To achieve excellence in managing development of the community and in providing city services so that conditions of living and public confidence are continually enhanced.

*Public and Media Relations Mission Statement:*

Be the best source of information about Allen city government by creating and sharing effective messages and compelling stories that foster positive community engagement and connection with our stakeholders.

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## Executive Summary

The 2017-2020 Communication Plan is a living document intended to be adapted and enhanced as the City continues to evolve. As communications technology and platforms for citizen engagement continue to advance, this Plan is expected to change to meet the emerging needs. The Plan as it is adopted today is a snapshot of the City's current communication goals and objectives providing a unified method to achieve those goals and best serve Allen's constituents.

The Plan outlines an overall communications philosophy, structure, audience and platforms.

## Why We Have a Plan

In addition to communication being a basic obligation of government and an essential component of a democratic process[1], communicating with the residents, business leaders and visitors to our community is vital to the continued success of Allen. Through consistent and engaged communication, Allen has the ability to grow informed participation, enhance community pride and improve overall livability. The City recognizes that having a public communication plan in place that effectively outlines this structure will foster that engaged, informed community as well as attract quality employees thereby making these efforts more efficient and comprehensive.

This Plan encompasses general and crisis communication regarding the City of Allen and its various departments, services and programs. For disaster or emergency situations, please refer to the Emergency Management Plan for the City of Allen.

[1] ICMA (International City/County Management Association), *Practical Promotion: Strategies for Improving Services and Image*, 1992, 5.

## Organizational Values

The City's Communication Plan is based on the following values which guide its overall development and implementation:

- We believe in an open city government for citizens and employees.
- We believe in being the best source of information about Allen city government.
- We believe in a proactive, coordinated and timely approach to disseminating information.
- We believe in the development of a unified message that effectively supports and reflects the goals of the city government as established by the City Council.
- We believe in a unified communication system that supports open, inclusive government and provides all City employees with the training necessary to effectively and accurately communicate each department's programs and services.
- We believe in promoting positive relationships and partnerships between the city government, residents, businesses, community organizations and schools.
- We believe in the successful future of Allen for its citizens, customers and partners.

## Communications Team

Everyone who represents the City government in any official capacity can be considered a communicator for the City. It is important to create a unified structure defining the message and process for all communicators to ensure reliable communication with and for the City's stakeholders. The success of a communications program depends on everyone's understanding and participation.

For the purposes of this Plan, the City defines its core communications team as follows:

- Mayor and City Council
- City Manager
- Assistant City Manager(s)
- City Secretary
- Public & Media Relations Office (PAMRO)
- Department Directors and Designated Representatives
- City Boards, Commissions and Committees
- Other Council-Appointed Officials

## Target Audience

A key component of any communication plan is to identify partners in the conversation.

*External Stakeholders:*

- Residents / Citizens
- Visitors
- Business leaders
- Community organizations
- Schools
- Regional influencers
- Media

*Internal Stakeholders:*

- Employees
- City Council
- City Boards, Commissions and Committees

## Background

This three-year City of Allen Communication Plan is an update of the 2014-2017 City of Allen Communication Plan. Establishing and updating the City-wide communication plan is part of Allen City Council's Strategic Goals and commitment to keeping its constituents and partners informed. This Plan incorporates an open communications philosophy within the organization through listening and responding that guides daily operations, decisions and interactions with the public by City staff.

With the continuing advancement of digital media, this document has been developed to be dynamic and updated as needed.

*Revisions:*

**Original Communications and Marketing Plan** – established in 1998, based on a citizen survey and interviews with City, Allen Independent School District and Allen Chamber of Commerce officials and contained communication goals and strategies for a two-year time period.

**2001 – 2006 Communications Plan** – adopted in 2001, research included a review of the 1998 citizen survey and the study of municipal communications plans from the cities of Tallahassee, Florida; Portsmouth, Virginia; Spokane, Washington; Colorado Springs, Colorado; and Charlotte, North Carolina. This plan was revised in October 2003 to reflect the ongoing development of the overall communications plan for the City of Allen.

**2014 – 2017 City of Allen Communication Plan** – adopted October 1, 2014, developed through Texas Association of Municipal Information Officers and Texas Christian University Certified Public Communicator coursework. It received the following updates:

- The Plan was updated to reflect a new "responsive" mission for Public and Media Relations Office (August 2016).
- The Plan was updated with "red-line" to reflect changes/additions. (June 2017)
- Appendix B: Updates and Completions table added (June 2017).
- The Plan was adjusted and modified as of September 30, 2017 to reflect the new plan effective October 1, 2017 through September 30, 2020.

## Communication Structure

- **Public and Internal Communication**

  *Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*

  - Objective 1: Regularly communicate Allen City Council decisions and actions.
  - Objective 2: Make information regarding City programs and services readily available and easy to comprehend.
  - Objective 3: Increase awareness, interest, participation and engagement of residents, business and community leaders in City government programs and activities.
  - Objective 4: Produce quality communication that adheres to industry best practices and standards.
  - Objective 5: Unify City communication outreach efforts under a shared philosophy.
  - Objective 6: Increase employee awareness and build organizational confidence with City core service values.

- **Crisis Communication**

  *Goal: Inform our residents and protect our organization's stability and reputation in times of crisis.*

  - Objective 1: Assess our readiness for crisis communication scenarios.
  - Objective 2: Identify protocols, tools and training to improve our communication during crisis situations.
  - Objective 3: Develop Crisis Communication Plan as addendum to Communication Plan.

- **Media Relations**

  *Goal: Develop and maintain positive working relationships with members of the media on all aspects of City municipal services, programs, activities and news.*

  - Objective 1: Provide consistent, proactive news releases and public service announcements to achieve accurate coverage.
  - Objective 2: Provide timely response to media inquiries and requests.
  - Objective 3: Align Media Relations Policy with current communication industry trends.

## Current Communication Tactics

### *Advertising*

An advertising policy was developed in February 2000. Except for legal requirements for public notices, the City does not, as a rule, advertise for the sole purpose of promoting itself. Revenue generating departments and facilities may purchase advertising for promotional purposes. These include but are not limited to Allen Parks and Recreation, Allen Convention & Visitors Bureau, Allen Event Center, and The Courses at Watters Creek.

### *Communications Training and Assistance*

All City employees receive basic communications training at new employee orientation. Comprehensive social media training was conducted in 2010 and incorporated into new employee orientation. Ongoing training is provided through PAMRO and Human Resources on an annual and as-needed basis.

### *Digital Communications*

The predominant form of providing information to public constituents is through various forms of digital communications and media. Below is a listing of communication methods currently employed:

CityOfAllen.org – the official City of Allen website

AllenNews.org – subsite of City of Allen website that collects news, events, video, photos and social feed to provide citywide news coverage for residents

AllenEventCenter.com – the official Allen Event Center website

VisitAllenTexas.com – the official Allen Convention & Visitors Bureau website

Allen public subscriptions:

- City of Allen Community Calendar – event calendar for all types of community events sponsored by local or county organizations.
- City of Allen Public Meetings Calendar – event calendar for all public meetings of Council and the various boards and commissions. Meeting posts include access to specific meeting agendas/packets.
- CityofAllen.org Notify Me – email subscription service for news and events posted to the website. Allows subscriptions to various calendars and news published by PAMRO and various departments.
- City of Allen Emergency Alerts – urgent notifications regarding emergencies, storm clean-up, or other related information.
- AllenNews.org Weekly Update – weekly newsletter focusing on events and news announcements for residents.
- Library E-newsletter – weekly newsletter for either adult or children's programs and events at the Allen Public Library.

- Parks & Recreation E-newsletter – periodic newsletter promoting recreational programs and events. There is also a specific newsletter for Joe Farmer Recreation Center programs and activities.
- Citizen's Observer/Tip 411 – Allen Police Department alerts on crime notices and public safety information.
- Allen Event Center E-newsletter – periodic newsletter announcing the latest concerts, shows, sporting events, or ticket deals from Allen Event Center.
- The Courses at Watters Creek E-Club – periodic newsletter with special offers and golf promotions for registered members. The golf course also maintains a separate website – WattersCreekGolf.com managed by Parks and Recreation
- Allen Convention & Visitors Bureau E-newsletter – quarterly newsletter promoting CVB activities to meeting planners for conventions, sports and group events.
- Water Conservation E-newsletter – monthly newsletter with conservation alerts, tips and resources.

*Official social media outlets:*

- City of Allen City Hall Facebook
- City of Allen LinkedIn Company Page
- Allen City Television YouTube
- Allen City Television Google+ (Branded, autofeed channel connected to YouTube)
- City of Allen Nextdoor
- City of Allen Instagram
- City of Allen Pinterest (parked)
- City of Allen Storify
- City of Allen Google+ (branded but not active – maintain for search purposes only)
- Allen Convention & Visitors Bureau (ACVB) Facebook
- ACVB Twitter
- ACVB Instagram
- Allen Public Library Facebook
- Allen Public Library Pinterest
- Allen Public Library Instagram
- Allen Parks & Recreation Facebook
- Allen Parks & Recreation Instagram (parked/minimal use)
- Allen Community Ice Rink Facebook
- Allen USA Twitter (seasonal updates)
- Allen Event Center Facebook
- Allen Event Center Twitter
- Allen Event Center Instagram
- The Courses at Watters Creek Facebook
- Allen Police Department Facebook
- Allen Police Department Twitter

- Allen Police Department Instagram (parked/minimal use)
- Allen Police Recruiting Instagram
- Allen Animal Shelter Facebook
- Keep Allen Beautiful Twitter
- Earthfest Allen Facebook

### *Social Media Guidelines*

PAMRO developed a set of guidelines in 2016 for City of Allen employees (social media coordinators) who manage official social media accounts. The guidelines set forth expectations, guidance and best practices to make official City social media outlets successful and engaging while maintaining our brand. The guidelines are intended to cover all types of social media managed by coordinators. All social media coordinators are required to go through training with PAMRO and adhere to the guidelines.

### *Website Guidelines*

PAMRO developed a set of guidelines in 2016 for City of Allen employees (website coordinators) who manage official City of Allen web content. The guidelines set forth expectations, guidance and best practices to make official websites successful and dynamic while maintaining our brand. All website coordinators are required to go through training with PAMRO and adhere to the guidelines.

### *Employee Intranet*

AllenPrideWire.org – basic communication portal for City employees to view and receive notifications regarding employee news, information and events. Developed and launched in 2013.

Employee only subscriptions through PrideWire:

- Calendar – notices on new calendar items that apply to all City Staff.
- Newsflash – quick headlines on announcements for all City Staff.
- Employee Education & Enrichment Calendar – notices on new training opportunities for City Staff.
- Payroll & Holidays Calendar – notices on payroll updates and observed holidays.
- City Suite Tickets at Event Center – notices for items available for ticket purchase in the City of Allen Suite at Allen Event Center.

### *Graphic Identity Manual*

A graphic identity manual was developed and approved by Allen City Council in January 1999. The graphics manual sets out the guidelines for uniform logo usage on equipment, signage, facilities, correspondence, documents, forms and employee uniforms and other clothing, as well as specifications for logo format and color.

### *Media Relations*

A positive working relationship with the news media is vital for successful communication of City related information. PAMRO's goal is to tell the City's story first and respond in a factual, professional and, where possible, prompt manner to all media inquiries. PAMRO continues to establish good,

working relationships with local media including but not limited to the *Allen American*, *The Dallas Morning News*, *BubbleLife*, and *Allen Image* as well as with local TV station reporters.

A media relations policy was established in 1999, and revised in 2000 and 2003.

### *Print Publications*

With the shift in information gathering to digital channels, the cost versus effectiveness of print publications is continually under review. In most cases, digital distribution of information is the predominant method. Each department with marketing and public education outreach efforts produces most of their own smaller scale print publications such as flyers, brochures, posters and calendars based on seasonal or special programs and services. As of 2014, the annual Year in Review publication produced by PAMRO became digital content on the City's website that showcases the Year in Review video.

PAMRO develops other printed publications and promotional materials with various departments on an as-needed basis including but not limited to: Annual Trash & Recycling Guidelines, Educator Expo Booklet, Water Quality Brochure, Newcomer Guide, and various Water Conservation mailers. The Parks and Recreation Department develops a comprehensive seasonal listing of available programs, LIFE in Allen (learning, interests, fitness, education class guide) three times a year.

### *Public Relations*

PAMRO continues to establish good, transparent relationships with Allen residents, business owners and visitors through the various communication platforms described throughout the Plan.

PAMRO monitors and coordinates responses to the City's general inquiry email inbox, coa@cityofallen.org.

PAMRO overseas Allen City Television (ACTV), the government access station. Programming is available online through AllenTV.org. Locally, residents can access the cable channel on Time Warner Cable Channel 16, Verizon FiOS Channel 15, Grande Cable Channel 15 and AT&T U-verse Channel 99. ACTV provides programming that is centered on government programs, activities, events, and services through public service announcements, features and news coverage.

PAMRO utilizes several guides to generate content including the City Annual Editorial Calendar, Internal/Employee Communication Annual Editorial Calendar and Social Media Strategy, which defines messaging, frequency and voice. The Social Media Strategy is defined in Appendix B.

## Current Communication Tools

PAMRO invests in a variety of software, video and technology services, tools and platforms to support communication acitivities. The primary tools utilized by the department are as follows:

- CivicPlus - website content management platform
- HootSuite – social media scheduling
- Asana – project and task scheduling
- Constant Contact – subscription platform for E-Newsletters
- Archive Social – archives all social account activity for open records purposes
- Siteimprove – online tool for scanning website to identify broken links, misspellings, and factors such as ADA compliance, readability and SEO
- Swagit - video on demand and streaming services
- Cision - media database/distribution/monitoring
- Visible - external social media monitoring/part of Cision contract
- Design Conductor – pending/supports adherence to graphic identity standards for all print material uses citywide

## Appendix A – Communications Plan Implementation

| | | |
|---|---|---|
| **PUBLIC AND INTERNAL COMMUNICATION** | | |
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | | |
| **Objective 1: Regularly communicate Allen City Council decisions and actions.** | | |
| **Strategy 1: Provide consistent and regular updates on city government decisions and actions.** | | ***Completion Information*** |
| **Tactic 1:** Comply with Texas Open Meeting Act and post official City agendas per state law. | ONGOING | |
| **Tactic 2:** Provide on-air and internet streaming video of City Council Regular Meetings and Planning & Zoning Commission Meetings. | ONGOING | 2017 – began promoting online meeting access on social media |
| **Tactic 3:** Distribute media releases on development and major infrastructure projects approved by Council. | ONGOING | 2016 – Implemented PR/media software platform to maximize news distribution |

| **PUBLIC AND INTERNAL COMMUNICATION** | | |
|---|---|---|
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | | |
| **Objective 2: Make information regarding City programs and services readily available and easy to comprehend.** | | |
| **Strategy 1: Provide an accessible and informative website presence that is easy to use.** | | ***Completion Information*** |
| **Tactic 1:** Work with contracted website vendor to maintain reliable public websites. | ONGOING | |
| **Tactic 2:** Coordinate and train departmental staff responsible (website coordinators) for website information updates and maintenance. | Annual best practice training for all website coordinators. | 2016 -Website Guidelines produced and distributed to all coordinators. |
| **Tactic 3:** Analyze website statistics and usage and adjust as needed. | Monthly | |
| **Tactic 4:** Utilize Siteimprove tools and reports to make continual improvements to websites | Monthly and Periodically for larger site audit purposes | |
| **Tactic 5:** Conduct website audit | Annual – basic<br>Every third year - comprehensive | Last comprehensive audit completed 2017 |
| **Tactic 6:** Work with contracted vendor on redesign development of all City sites per 4-5-year standard site longevity standards | Assess needs and project budget in FY 18-19<br>Budget and redesign FY 19-20 | Last redesign/launch completed July 2015 |

| **PUBLIC AND INTERNAL COMMUNICATION** | | |
|---|---|---|
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | | |
| **Objective 2: Make information regarding City programs and services readily available and easy to comprehend.** | | |
| **Strategy 2: Monitor communication preferences and accessibility needs of City stakeholders.** | | ***Completion Information*** |
| **Tactic 1:** Analyze current communication channel statistics for patterns and deficiencies. | ONGOING | |
| **Tactic 2:** Make reasonable communication accommodations available and upon request in accordance with the Americans with Disabilities Act. | ONGOING | |

| **PUBLIC AND INTERNAL COMMUNICATION** | |
|---|---|
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | |
| **Objective 2: Make information regarding City programs and services readily available and easy to comprehend.** | |
| **Strategy 3: Effectively communicate transition from general communications to emergency communications as per the Emergency Management Plan governed by City of Allen Public Safety Officials.** | As Needed |

| **PUBLIC AND INTERNAL COMMUNICATION** | | |
|---|---|---|
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | | |
| **Objective 3: Increase awareness, interest, participation and engagement of residents, business and community leaders in City government programs and activities.** | | |
| **Strategy 1: Provide dependable and accurate public communication through cross functioning communication platforms** | | ***Completion Information*** |
| **Tactic 1:** Oversee departmental release of information and coordinate cross promotional efforts. | ONGOING | |
| **Tactic 2:** Produce and show quality programming through ACTV. | ONGOING | |
| **Tactic 3:** Maintain informative and accessible City websites. | ONGOING | |
| **Tactic 4:** Monitor and engage in official City social media outlets. | ONGOING | |
| **Tactic 5:** Produce print and digital publications for city-wide distribution and/or subscription. | ONGOING | |
| **Tactic 6:** Utilize available technology to multiply information release and reach to stakeholders. | ONGOING | |
| **Tactic 7:** Regularly assess various communication platforms effectiveness. | ONGOING | |

| | | |
|---|---|---|
| **PUBLIC AND INTERNAL COMMUNICATION** | | |
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | | |
| **Objective 3: Increase awareness, interest, participation and engagement of residents, business and community leaders in City government programs and activities.** | | |
| **Strategy 2: Investigate emerging technology and communication trends.** | | ***Completion Information*** |
| **Tactic 1:** Maintain membership in professional and municipal communicator associations such as Texas Association of Municipal Information Officers (TAMIO) and 3CMA (City-County Communications and Marketing Association), NATOA (National Association of Telecommunication Officers and Advisors), TATOA (Texas Association of Telecommunication Officers and Advisors), and Lone Stone Emmy Chapter. | Annual | 2017 - TAMI (first-place award) for Trash & Recycling Guidelines<br>2014 - 2017 – NATOA excellence and programming awards<br>2014-2017 – TATOA excellence and programming awards<br>2017 – two Emmy nominations<br>2017 – ACTV Executive Producer served as NATOA guest presenter |
| **Tactic 2:** Identify new sources for best practice information, training, and tools through participation in regional and online seminars and programs through organizations such as Public Relations Society of America, Government Social Media, Social Shake-Up and others. | ONGOING | 2017 - Interactive Media Manager participated in training through Government Social Media Conference<br>2017 - Director completed Digital Marketing Certification through SMU<br>2017 – Director and Marketing Specialist attended PRSA digital communication crisis workshop |
| **Tactic 3:** Identify and implement new communication platforms. | ONGOING | 2017 - optimized LinkedIn company<br>2017 – soft launch of Instagram<br>2016 – Added NextDoor agency account<br>2015 – launched MyAllen mobile app for citizen requests |

| **PUBLIC AND INTERNAL COMMUNICATION** | | |
|---|---|---|
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | | |
| **Objective 3: Increase awareness, interest, participation and engagement of residents, business and community leaders in City government programs and activities.** | | |
| **Strategy 3: Create a positive feedback loop that encourages open dialogue with public.** | | ***Completion Information*** |
| **Tactic 1:** Develop communication partner relationships with community, civic, religious and business organizations in Allen. | ONGOING | 2017 – Partnered with CVB to showcase destination partners/businesses<br>2015 - Initiated meetings with Arts Alliance organizations (led to initiation of Work of Art series in 2016) |
| **Tactic 2:** Produce and distribute specialty content to reach select audiences | ONGOING | 2017 - New resident flyer distributed on City communication and quarterly E-News created for boards<br>2017 – submit monthly article to HOA Neighbors publication<br>As needed – utilize Chamber and AISD distribution methods for relevant content<br>Since 2004 – submit monthly articles to Allen Image |
| **Tactic 3:** Respond in a timely manner to questions, requests and concerns through the general inbox (coa@cityofallen.org), mobile app and social media channels | ONGOING | 2015 – Mobile app launched for requests and concerns |
| **Tactic 4:** Continually monitor technological developments in citizen engagement platforms. | ONGOING | |
| **Tactic 5:** Provide a variety of options for residents to participate in public forums. | ONGOING | 2013 – MindMixer online platform used for Comp Plan input |

| | | |
|---|---|---|
| **PUBLIC AND INTERNAL COMMUNICATION** | | |
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | | |
| **Objective 3: Increase awareness, interest, participation and engagement of residents, business and community leaders in City government programs and activities.** | | |
| **Strategy 4: Investigate feasibility of creating citizen program to educate on basic municipal operations.** | | ***Completion Information*** |
| **Tactic 1:** Research programs offered by other municipalities. | | 2016 – Research compiled by UTD students |
| **Tactic 2:** Research citizen interest in program and Council and staff interest and availability. | FY 2017-18 | |

| **PUBLIC AND INTERNAL COMMUNICATION** | | |
|---|---|---|
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | | |
| **Objective 4: Produce quality communication that adheres to industry best practices and standards.** | | |
| **Strategy 1: Conduct city-wide communication audit on an ongoing basis.** | | ***Completion Information*** |
| **Tactic 1:** Coordinate updates and revisions to communication materials across departments to adhere to uniform guidelines. | ONGOING | |
| **Tactic 2:** Utilize editorial calendar to track reoccurring events and activities. | ONGOING | 2016 – Implemented City Annual Editorial Calendar |
| **Tactic 3:** Utilize social media management platform to streamline management of official social media accounts. | ONGOING | 2015-2017 – Use of Hootsuite |
| **Tactic 4:** Develop and maintain message strategy and voice for each social platform | ONGOING | Social Media Strategy defined in PAMRO Digital Strategy Guidelines (Appendix B) |

| | | |
|---|---|---|
| **PUBLIC AND INTERNAL COMMUNICATION** | | |
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | | |
| **Objective 5: Unify City communication outreach efforts under a shared philosophy.** | | |
| **Strategy 1: Increase awareness among City employees of communication structure.** | | ***Completion Information*** |
| Tactic 1: Conduct consultative outreach meeting on communication plan development and maintenance with departmental marketing and outreach staff. | Annual | |
| Tactic 2: Coordinate with Human Resources to provide basic communications training for employees. | ONGOING | |

| **PUBLIC AND INTERNAL COMMUNICATION** | | |
|---|---|---|
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | | |
| **Objective 3: Unify City communication outreach efforts under a shared philosophy.** | | |
| **Strategy 2: Educate employees on various aspects of Social Media.** | | ***Completion Information*** |
| **Tactic 1**: Review policy on employee use of social media and current industry trends and tools | ONGOING | |
| **Tactic 2**: Modify policy as needed based on research and best practices | As Needed | |
| **Tactic 3:** Coordinate with Human Resources to provide basic training on the City's social media policy and guidelines. | ONGOING | |
| **Tactic 4:** Provide best practices training for employees who manage social media accounts on behalf of the City. | As Needed | 2016 – Social Media Guidelines produced; best practice training conducted |

| **PUBLIC AND INTERNAL COMMUNICATION** | | |
|---|---|---|
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | | |
| **Objective 3: Unify City communication outreach efforts under a shared philosophy.** | | |
| **Strategy 3: Update and expand Graphic Identity Manual.** | | ***Completion Information*** |
| **Tactic 1:** Conduct audit of current graphic identity manual. | | COMPLETE – 2016 |
| **Tactic 2:** Conduct comparative research on other municipalities' graphic identity policies and usage. | ONGOING | |
| **Tactic 3:** Revise graphic identity manual to include results and findings from audit and research as well as address supplemental City logo development and usage guidelines. | Fall 2018 | |

| **PUBLIC AND INTERNAL COMMUNICATION** | | |
|---|---|---|
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | | |
| **Objective 6: Increase employee awareness and build organizational confidence with City core service values.** | | |
| **Strategy 1: Coordinate with Human Resources to develop strategic plan on internal communication objectives, structure and methods.** | | ***Completion Information*** |
| **Tactic 1:** Form internal communication advisory committee. | COMPLETE | 2017 - Employee Investment Task Force established |
| **Tactic 2:** Conduct audit of current internal communication efforts. | Spring 2018 | |
| **Tactic 3:** Define communication process, structure and roles related to release of employee communication | Fall 2018 | |

| | | |
|---|---|---|
| **PUBLIC AND INTERNAL COMMUNICATION** | | |
| ***Goal: Responsibly communicate information regarding City programs and services through a framework of unified, layered communication methods.*** | | |
| **Objective 6: Increase employee awareness and build organizational confidence with City core service values.** | | |
| **Strategy 2: Develop effective communication tools/methods for reaching all levels of employees – from desk to field, etc.** | | |
| **Tactic 1:** Conduct audit of current method to reach varying levels of employees. | Spring 2018 | 2017 - Employee Investment Task Force established |
| **Tactic 2:** Research communication tools available to enhance communication efforts across all levels of employees. | ONGOING | |
| **Tactic 3:** Assess effectiveness and use of employee intranet | Spring 2018 | |
| **Tactic 4:** Implement findings and best practices. | Recommendations with budgetary impact to be phased over future budget cycles | |

| **CRISIS COMMUNICATION** | |
|---|---|
| ***Goal: Inform our residents and protect our organization's stability and reputation in times of crisis.*** | |
| **Objective 1: Assess our readiness for crisis communication scenarios.**<br>**Objective 2: Identify protocols, tools and training to improve our communication during crisis situations.**<br>**Objective 3: Develop Crisis Communication Plan as addendum to Communication Plan.** | |
| **Strategy 1: PAMRO Staff member participate in TAMIO/TCU Public Communicator Certification** | July 2017 – July 2018 |

| **MEDIA RELATIONS** | | |
|---|---|---|
| ***Goal: Develop and maintain positive working relationships with members of the media on all aspects of City municipal services, programs, activities and news.*** | | |
| **Objective 1: Provide consistent, proactive news releases and public service announcements to achieve accurate coverage.** | | |
| **Strategy 1: Regularly distribute releases, briefs and/or newsflashes to area media on City related programs, activities, events, actions, etc.** | | ***Completion Information*** |
| **Tactic 1:** Maintain regular media distribution list and technique for efficient delivery of releases and news tips. | ONGOING | 2016 – Implemented PR/media software platform to maximize news distribution and automated distribution list maintenance |
| **Tactic 2:** Promote various City sources for information about City programs and service to the media for proactive media access. | ONGOING | 2017 – Promote news subsite via LIFE guide, and facility and exterior digital signage<br>2016 – Ongoing promotion of news subsite<br>2015 – Added news subsite to include a media resource page |

| **MEDIA RELATIONS** | | |
|---|---|---|
| ***Goal: Develop and maintain positive working relationships with members of the media on all aspects of City municipal services, programs, activities and news.*** | | |
| **Objective 1: Provide consistent, proactive news releases and public service announcements to achieve accurate coverage.** | | |
| **Strategy 2: Continue to foster a proactive approach within the organization regarding possible emerging issues or controversies.** | | ***Completion Information*** |
| **Tactic 1:** Utilize regular Executive Staff Meetings as internal forum to participate in an ongoing discussion about items of potential media interest. | ONGOING | 2016 – Communication topic added to agenda |
| **Tactic 2:** Conduct regular interdepartmental status meetings on upcoming programs, events, activities, etc. in need of promotion or of media interest. | ONGOING | 2017 - began monthly meetings with EDC<br>2016 – Began monthly joint staff meetings with Parks, Event Center and CVB |

| **MEDIA RELATIONS** | | |
|---|---|---|
| ***Goal: Develop and maintain positive working relationships with members of the media on all aspects of City municipal services, programs, activities and news.*** | | |
| **Objective 2: Provide timely response to media inquiries and requests.** | | |
| **Strategy 1: Regularly review media requests and respond accordingly.** | | ***Completion Information*** |
| **Tactic 1:** Respond to media requests and inquiries in a timely manner | ONGOING | |
| **Tactic 2:** Coordinate subject matter experts as needed for media requests. | ONGOING | |
| **Tactic 3:** Log and report media interaction through PR software platform | ONGOING | 2017 – Initiated weekly media email alerts for Council<br>2016 – implemented monthly and quarterly media coverage reports to Council |

| **MEDIA RELATIONS** | | |
|---|---|---|
| ***Goal: Develop and maintain positive working relationships with members of the media on all aspects of City municipal services, programs, activities and news.*** | | |
| **Objective 2: Provide timely response to media inquiries and requests.** | | |
| **Strategy 2: Foster working relationships with members of the media.** | | ***Completion Information*** |
| **Tactic 1:** Provide individual news tips and possible stories to local media. | ONGOING | |
| **Tactic 2:** Reach out to new members of the local media to discuss general information gathering opportunities for Allen. | ONGOING | |
| **TACTIC 3:** Assess opportunities to host media events | ONGOING | |

| **MEDIA RELATIONS** | | |
|---|---|---|
| ***Goal: Develop and maintain positive working relationships with members of the media on all aspects of City municipal services, programs, activities and news.*** | | |
| **Objective 3: Align Media Relations Policy with Current Communication Industry Trends.** | | |
| **Strategy 1: Update and Expand Media Relations Policy.** | | ***Completion Information*** |
| **Tactic 1:** Conduct audit of current media relations policy. | Spring 2019 | |
| **Tactic 2:** Conduct comparative research on other municipalities' media relations policies. | Spring 2019 | |
| **Tactic 3:** Conduct comparative research on current communication trends. | Spring 2019 | |
| **Tactic 4:** Revise media relations policy to include results and findings from audit and research. | Summer 2019 | |

## Appendix B –Digital Strategy

The Digital Strategy applies to the City's primary website and social media platforms managed by PAMRO. It has been developed to guide types of content and frequency of sharing on a per-platform basis that can be managed by existing staff resources.

### OUR VOICE:

- Professional
- Factual
- Authentic
- Respectful
- Good-natured

### OUR STRATEGY

| Channel | Messages | Frequency |
|---|---|---|
| **Main Website** | • All service, program, facility and event information<br>• News, announcements and updates | Weekly updates and posts |
| **AllenNews.org** | • Central location for all departmental news, events and activities including multi-media content | Weekly updates and posts |
| **ACTV (PEG Channel)** | • Council and P&Z Commission meeting coverage<br>• PSAs on City events and services<br>• Calendar/bulletin board<br>• Specialty features<br>• Spotlights and program series<br>• Content from other government agency sources<br>• Includes Video-on-demand and live streaming | Weekly meeting coverage<br>Weekly changes in program content<br>15-20 video PSAs and programs/mo. |
| **Email Newsletter** | • News highlights and events | Weekly distribution |
| **Facebook** | • News, alerts, updates, events, goodwill messages | 10-12 posts/wk |
| **Twitter** | • Hashtagalong (behind the scenes at City Hall)<br>• Reminders, evergreen, "did you know" content<br>• All new video content uploaded to YouTube | 5 – 20 posts/wk (including video)<br>Monthly hashtagalong |
| **YouTube** | • Program and event PSAs<br>• People / program features | 15 – 20 uploads/mo |
| **Nextdoor** | • Trash/recycling and seasonal reminders<br>• Major information campaigns<br>• Citizen volunteer invitations<br>• Targeted traffic/road construction alerts | At least 6 times/yr |
| **Linked In** | • Agency and employee successes<br>• Recruitment related messages when needed<br>• Employer of choice reminders | 4-6 posts/mo |

| | | |
|---|---|---|
| **Storify** | • Blog posts to compliment and archive Hashtagalong series | Monthly to coincide with Hashtagalong frequency |
| **Instagram** | • Showcase images of Allen community and events | 4-6 posts/mo |

## Appendix C – Placeholder for Crisis Communication Plan

Under development through coursework in the TAMIO / TCU Public Communicator Certification Program. Expected completion and addition to the Plan is Fall 2018.

# Section 2: Personnel Policies & Procedures

***Adopted June 20, 1991***
***Revised January 13, 2022***

# Human Resources Policies
# Section 2


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# DEFINITIONS

**ACROSS-THE-BOARD INCREASE**: A pay increase of the same flat rate or percentage of each employee's current salary given to every eligible employee; also known as a general increase.

**AT-WILL EMPLOYMENT**: The employer is free to fire an employee for any reason -- or for no reason at all, and the employee is free to terminate employment at any time.

**CITY VEHICLE**: Any passenger car, truck, motorized equipment, or similar type vehicle as defined by the Texas Motor Vehicle Law which is owned, leased, rented, or otherwise under the care, custody, or control of the City of Allen, including police and fire vehicles.

**CLASSIFIED POSITIONS**: All positions, with the exception of council appointed employees.

**COMMISSIONED FIRE**: An employee of the fire department who is defined as "fire protection personnel" by Section 416.001 of the Texas Government Code.

**COMMISSIONED POLICE**: An employee of the police department who has been licensed as a peace officer by the Texas Commission on Law Enforcement Officer Standards and Education.

**DEMOTION:** The transition of an employee from a position in a higher pay band to a position in a lower pay band. A demoted employee will be moved to the maximum of the new pay band or receive a 5% decrease, whichever is greater.

**DISCRETIONARY TIME**: Provided to give supervisors the freedom to be flexible with the work scheduling of exempt employees (when appropriate and work-loads permit).

**DRIVING RECORD**: The complete driving history of an employee that can be discerned from any official records.

**EXEMPT**: An employee classification designated by the Fair Labor Standards Act (FLSA). Exempt employees are specifically exempt from the provisions of the FLSA. Employees who have been classified as exempt are not required to receive overtime for hours worked in excess of 40 hours per week.

**FULL-TIME EMPLOYEE**: An employee whose position requires working at least 40 hours per seven day week.

**HOURS WORKED**: The time that the City requires or permits employees to be on duty. Hours worked is used to calculate overtime. Sick leave is not considered in calculating hours worked.

**MOTORIZED EQUIPMENT**: Includes, but is not limited to, backhoes, bulldozers, mower-tractors, loaders, graders, and similar equipment that require a state-issued driver's license for operation on public roadways that require a state-issued driver's license for operation on public roadways.

**MOVING VIOLATION**: Violations as defined in the Texas Transportation Code (Examples: speeding, running a stop signal or sign, failure to yield, etc.).

**NON-EXEMPT**: An employee classification designated by the Fair Labor Standards Act (FLSA). Non-exempt employees are not specifically exempt from the provisions of the FLSA, and must be paid one and one-half times their regular rate of pay for hours worked in excess of 40 hours per week.

**PART-TIME EMPLOYEE**: An employee whose position requires working less than the normal 40 hour work week but generally no more than 20 hours per week.

**PAID LEAVE BENEFITS:** Sick and vacation leave as detailed in Section 9.04 and Section 9.14.

**PAY PERIOD:** Employees are paid bi-weekly.

**PROMOTION**: Advancement of an employee from a position in a lower pay band to a position in a higher pay band. A promoted employee will be moved to the minimum of the new pay band or receive a 5% increase, whichever is greater.

**REGULAR EMPLOYEE**: A full- or part-time employee who has been appointed to a position with the City and who has satisfactorily completed the probationary period.

**TEMPORARY**: An employee whose position is seasonal or one hired to perform duties of a temporary nature.

**TRANSFER:** A transfer is an assignment of an employee from one position to another, not involving promotion or demotion.

**WORK CYCLE**: The time span in which the City calculates overtime hours. The following work cycles will be observed:

| | |
|---|---|
| Commissioned Fire: | 21 days (159 regular hours), or<br>14 days (80 regular hours) |
| Commissioned Police: | 14 days (80 regular hours) |
| All other: | 7 days (40 regular hours) |

**WORK WEEK**: The workweek normally begins at 12:01 a.m. on Saturday and ends at midnight on the following Friday.

Department Heads, with the consent of the City Manager, have the ability to establish a flexible workweek in their departments, as long as service levels and productivity standards are maintained. The work schedule for each participant must be declared in writing to both Finance and Human Resources.

**WEAPON**: A device (such as a club, knife, or gun) designed to injure, defeat or destroy.

# CHAPTER ONE
## PERSONNEL

### 1.01 INTRODUCTION

#### 1.01 A GENERAL

It is intended that this manual be responsive to the needs of the City of Allen and its employees. The provisions of this manual are not intended to create contractual rights or covenants between the City of Allen and its employees but instead are merely guidelines designed to meet the needs of the City of Allen and its employees.

The nature of the employment relationship which exists between the City of Allen and its employees is at will and may be terminated by either employee or the City at any time with or without cause. No policy or provision in this manual is intended to change the at will employment relationship which exists between the City and its employees.

Periodically, this manual may be unilaterally revised and updated by the City of Allen. No individual has the authority to verbally change the policies set forth in this manual. All changes to these policies must be made by the Allen City Council.

#### 1.01 B PURPOSE OF MANUAL

The purpose of this manual is to formalize the personnel process and set forth guidelines for policies and procedures to be followed by the City of Allen in the administration of its human resources management system. No manual can anticipate all circumstances that may arise. Exceptions to this manual or actions taken where this manual is silent remain the sole prerogative of the City Manager who serves in the role of Chief Executive Officer of the City. This manual may be revised at the discretion of the City Council as prescribed in Section 1.03 B.

#### 1.01 C OBJECTIVES

Objectives of the human resources management system include but are not limited to:

1. Promote and increase productivity, efficiency, responsiveness to the public, and economy in the City service.

2. Provide fair and equal opportunity for qualified persons to enter and progress in the City service in a manner based on qualifications and fitness as determined through fair and objective evaluation techniques.

3. Maintain recruitment, advancement, and tenure practices which enhance the attractiveness of a City career.

4. Maintain an equitable and current classification and compensation system based on a quantitative evaluation of the positions, duties and responsibilities.

5. Foster high morale.

6. Retain employees based on performance and separate employees whose inadequate performance cannot be corrected.

7. Assure that employees are protected against coercion for partisan political purposes and are prohibited from using their positions with the City for the purpose of interfering with or affecting the results of an election or nomination for office.

## 1.02 PERSONNEL SYSTEM

### 1.02 A EQUAL EMPLOYMENT OPPORTUNITY

It is the City of Allen's policy to provide equal employment opportunity through recruitment, selection, retention and advancement in all job classifications, without regard to race, color, religion, sex, age, national origin or disability, and to ensure that all matters affecting employees' terms and conditions of employment are administered in a manner consistent with applicable federal, state and local law.

In its continuing effort to ensure an open and equitable organization, the City Manager will:

1. Maintain a positive program targeted at ensuring all minority group members equal access to all employment, training and promotional opportunities.

2. Encourage Department Heads to:

    a. Monitor and promptly correct any obstacle to maintaining effective minority relations.

b. Ensure that all decisions involving employees' terms and conditions of employment are supportive of the City's commitment to equal employment opportunity.

**1.02 B NEPOTISM**

No person related within the second degree by affinity (marriage), or within the third degree by consanguinity (blood) to the Mayor, Council, City Manager, and appointed staff level shall be appointed to any office, position, or clerkship or other service of the City.

| Second Degree | Third Degree |
|---|---|
| Brothers<br>Sisters<br>Grandmother<br>Grandfather<br>Spouse's Mother<br>Spouse's Father<br>Spouse's Sisters<br>Spouse's Brothers | Great-Grandmother<br>Great-Grandfather<br>Uncles<br>Aunts<br>Nephews<br>Nieces |

In, addition, the City Manager may apply the nepotism prohibition in the case of other organizational and/or personal relationships when failure to do so would be detrimental to the City.

**1.02 C RESIDENCY**

There shall be no absolute residence requirement for City employment except as provided by Section 150.021 of the State of Texas Local Government Code which states as follows:

A municipality may not require residency within the city limits as a condition of employment, except:

1. Candidates for or holders of municipal office; and

2. City Manager and Department Heads appointed by the City Council.

Employees likely to be called to work in cases of emergency may be required by their Department Head to reside within a reasonable commuting distance of their places of work.

### 1.02 D INSURANCE AND RETIREMENT

Eligible employees will receive insurance and retirement benefits as prescribed by the Texas Municipal Retirement System and Social Security.

## 1.03 PERSONNEL RELATED RESPONSIBILITIES

### 1.03 A RESPONSIBILITIES OF THE HUMAN RESOURCES DEPARTMENT

The following includes, but shall not limit, the responsibilities of the Human Resources Department:

1. Maintain sound, current and modern personnel practices.
2. Maintain and administer all aspects of the classification and compensation systems.
3. Ensure fair, equitable and consistent application of City of Allen's personnel policies.
4. Develop and maintain a system of personnel records, reports and statistics.
5. Ensure that all candidates for selection and promotion are eligible for consideration and selected on a job related and equitable basis.
6. Provide other human resources related services as needed.

### 1.03 B CITY COUNCIL RESPONSIBILITIES

The City Council adopts the policies and promulgates this manual as a part of its powers and responsibilities and may unilaterally change any of the policies and provisions set forth in this manual at any time.

### 1.03 C CITY MANAGER RESPONSIBILITIES

The general and final authority for human resources management rests with the City Manager as the Chief Executive Officer of the City, who may delegate it as necessary and proper, except for matters reserved to the City Council.

### 1.03 D PERSONNEL OFFICER RESPONSIBILITIES

The Human Resources Director shall perform the duties of the Personnel Officer in the administration of all delegated human resources functions.

## 1.03 E DEPARTMENT HEAD RESPONSIBILITIES

Department Heads are responsible for ensuring compliance, within their organizational units, with provisions of this policy manual.

# CHAPTER TWO
## POLICY MANUAL ADMINISTRATION

### 2.01 APPLICABILITY

#### 2.01 A EMPLOYEES COVERED

The policies in this manual are applicable to all employees of the City of Allen excluding City Council members. City Council appointees are subject to these policies and such inclusions or exclusions as may be agreed upon as conditions of employment.

#### 2.01 B CONTRACTORS

Persons employed under contract to supply professional and technical services, and personnel appointed to serve without pay, shall not be considered City employees for purpose of these rules.

### 2.02 DISSEMINATION

The City will make known to employees the existence of these policies and ensure that copies are available for review during normal business hours. As a minimum, copies will be provided to each Department Head.

### 2.03 CHANGES

This manual may be unilaterally amended or changed at any time by majority vote of the City Council.

# CHAPTER THREE
## OFFICIAL RECORDS

### 3.01 PERSONNEL

#### 3.01 A PERSONNEL FILES

The Human Resources Department maintains the City's official personnel records. Access to personnel files is regulated by provisions of the Texas Open Records Act.

#### 3.01 B ACCESS TO PERSONNEL FILES

In accordance with State law, all information contained within an employee's personnel file is considered to be public information, except such information whose distribution would by law constitute a clearly unwarranted invasion of personal privacy or falls under a specific statutory authorization of confidentiality. Public record information includes, but is not limited to, name; sex; ethnicity; age; date of hire; position title; salary; department; and if applicable, date of termination.

1. Human Resources Department personnel are allowed access to employee files during the course and scope of their regular job duties.

2. Pursuant to the Public Information Act, members of the public may review personnel records during the normal business hours of the City of Allen.

3. Employees or a duly designated agent will have the right of reasonable inspection of all information in the employee's own official personnel files during normal business hours.

4. When put in writing, an employee can voluntarily grant access to the employee's personnel file to other parties and/or permit duplication of the employee's file. Duplication costs may be paid for by the requestor.

5. A supervisor can examine the personnel file of a subordinate if necessary during the course and scope of their job duties. The supervisor must contact the Human Resources Department to be allowed access to any employee file.

6. By order of a court of competent jurisdiction, any person so named in the order is permitted to examine or receive such portion of an employee's record as is described in the order.

7. An official of an agency of the state or federal government or any other political subdivision of the state may inspect a personnel file in part or entirety if permitted in writing by the employee or as a result of obtaining a court order as described in section 3.01 B, Item 6.

### 3.01 C CURRENCY OF FILES

Department Heads shall ensure that employee personnel files are current in accordance with procedures developed by the Human Resources Department.

### 3.01 D DISPUTED INFORMATION IN A FILE

If the employee feels that material in his/her personnel file is in error or misleading, they can seek to have the material removed. A written statement describing the information that the employee has taken issue with, the facts upon which the requested change is based, and a suggestion for resolution of the issue should be given to the Human Resources Director. The Human Resources Director will review the employee's request and render a decision within five (5) business days. If the employee is not satisfied, he/she can appeal the decision to the City Manager within five (5) business days. The City Manager will render a final verdict within ten (10) business days. An employee can add a qualifying statement of reasonable length to any section of their employee file without a review process. The qualifying statement will be noted as having been added by the employee.

# CHAPTER FOUR
## PROBATION

### 4.01 PROBATIONARY PERIOD

#### 4.01 A PURPOSE

Probation is a period of time which is granted all newly appointed employees upon entering a position, to demonstrate their ability to successfully perform the duties of the job and that they can successfully operate within the work environment. The nature of the relationship which exists between the City and all of its employees, including but not limited to its probationary employees, is at will and can be terminated by the employee or the City at any time without cause.

#### 4.01 B LENGTH OF PROBATION

All newly appointed employees shall be placed on probationary status, beginning with the date of employment for a period of one (1) year.

#### 4.01 C EXTENSION OF PROBATION

Probation may be extended, subject to review and approval by the Human Resources Director, for a period not to exceed 90 days. Extension of probation is not a basis for submission of a complaint or grievance.

#### 4.01 D FAILURE OF PROBATION

Failure of probation or confirmation may occur at any time within the probationary period and shall not be considered part of the disciplinary process.

#### 4.01 E PROMOTIONAL/RECLASSIFICATION PROBATION

Employees in the City's service who receive a promotion or reclassification will be required to complete a one (1) year confirmation period. A promoted/reclassified employee who fails confirmation may be returned to the same or similar position or other job for which qualified. If said position is not currently available, the employee may be terminated.

Department Heads and supervisors will use the confirmation period to closely observe and evaluate the work and fitness of employees and encourage adjustment to their jobs.

### 4.01 F DEPARTMENTAL DOCUMENTATION

Department Heads will document in writing the basis for making probationary recommendations.

# CHAPTER FIVE
## PROMOTION/TRANSFER/DEMOTION

### 5.01 PROMOTION

#### 5.01 A RELEASE OF PROMOTED EMPLOYEE TO NEW POSITION

Current supervisors should be provided at least ten (10) working days' notice before being required to release an employee. If both the sending and receiving departments agree, the employee may be released sooner than ten (10) working days.

#### 5.01 B EMPLOYEE PREFERENCE

It is the City's policy to promote from within the organization whenever appropriate and feasible. Applicants may be limited to qualified current employees upon approval of the Human Resources Director. Opportunities for promotion across organizational lines shall be maximized.

### 5.02 TRANSFERS

A transfer is an assignment of an employee from one position to another, not involving promotion or demotion. A transfer may be for administrative convenience or upon the request of the employee. Transfers may be made administratively or in conjunction with an announced selection process.

Intradepartmental transfers within the same class are allowed if approved by the Department Head. Interdepartmental transfers must be approved by the Human Resources Director. Transfers are not allowed unless the employee fully meets the requirements of the job description.

### 5.03 NON-DISCIPLINARY DEMOTIONS

With the approval of the Human Resources Director, an employee may be demoted, administratively or by the employee’s request, provided all requirements of the job description are met and a budgeted position is available. Any special provisions concerning future reinstatement must be documented in writing, approved by the City Manager and included as part of the employee's personnel file.

# CHAPTER SIX
## CLASSIFICATION

### 6.01 CLASSIFICATION POLICY

#### 6.01 A CLASSIFIED POSITIONS

Each position, with the exception of council appointed employees, shall be classified according to objective criteria and the provisions of this manual. Supervisors may request a classification review to maintain internal equity.

#### 6.01 B OFFICIAL TITLES

Official titles shall be used for all official documents. Working or functional titles may be used where appropriate.

# CHAPTER SEVEN
## COMPENSATION POLICY

### 7.01 RECEIVING PAY

Employees will be paid for hours worked or for the use of authorized paid leave every other Friday.

All Personnel Action Forms must be submitted to the Human Resources Department by 5 p.m. on the Wednesday prior to the week pay checks are issued to be effective on the next paycheck.

1. Regular Pay Procedures:
    a. All paychecks received on a regular basis will be issued to employees by designated persons (i.e., supervisors) within each department.
    b. No paychecks will be issued early.
    c. Paychecks will only be released to the employee. In rare cases where circumstances prohibit an employee from picking up his/her check (i.e., illness), the employee must provide a written release authorizing another person to receive the check.
    d. After five (5) days, unclaimed payroll checks should be returned to the Finance Department.
2. Final Pay Procedures:
    a. Employees may opt to pick up their final paycheck, have it mailed, or if they are in the direct deposit program, a final deposit made. If the employee opts to pick up their final check and cannot, he/she must provide a written release authorizing another person to receive the check.
3. Handling Paycheck Exceptions:
    a. Incorrect paycheck - Employees are responsible for immediately notifying their supervisor and/or the Finance Department if they receive an incorrect paycheck. The Department Director, Human Resources Department and the Finance Department will review the claim to determine an equitable solution. Employees who are overpaid must return the overpayment to the City immediately.
    b. Requests to correct base rate or insurance must be submitted to the Human Resources Department. All other corrections are forwarded to the Finance Department.
    c. Lost or Stolen Paycheck - Employees are responsible for notifying the Finance Department of a lost or stolen paycheck. Paychecks

cannot be reissued until the Finance Department receives confirmation from the bank that the lost or stolen paycheck has not cleared the bank and the stop payment order is in effect. A stop pay fee of $25 will be deducted from the re-issued check. This may cause a delay in reissuing the check because this process may take up to three (3) days.

## 7.02 OVERTIME

Overtime, when ordered for the maintenance of essential city functions, shall be allocated as uniformly as possible among all eligible employees. All overtime will be paid in accordance with the Fair Labor Standards Act (FLSA). The City of Allen does not provide compensatory time in lieu of overtime for non-exempt employees.

1. **Eligibility**- Overtime will be paid to eligible employees for hours worked in excess of the regular scheduled workweek or work cycle.
2. **Rate of Pay** - All authorized overtime for nonexempt employees shall be compensated at the rate of 1½ times the employee's regular rate of pay plus longevity, career ladder pay, certification and bonuses. Although exempt employees may be eligible for discretionary time, they will not be eligible for overtime pay.
3. **Payment of Unauthorized Overtime** - All overtime (authorized or unauthorized) worked by nonexempt employees must be compensated according to the FLSA. Employees working outside the regular work schedule without prior supervisor authorization may be subject to disciplinary action.

## 7.03 DISCRETIONARY TIME

Discretionary time is provided to give supervisors the freedom to be flexible with the work scheduling of exempt employees (when appropriate and work-loads permits). The accrual as well as the usage of discretionary time is subject to the approval of the Department Head and is not guaranteed.

## 7.04 MEAL/BREAK PERIODS

A 30-minute to 1-hour allowance for meal breaks is customarily granted to regular full-time employees. This meal period is not considered work time if employees are completely relieved of their work duties.

If employees must continue their work duties through the meal or break period, this work time must be supervisor-approved and recorded as work time.

Employees may receive up to two fifteen minute breaks per standard workday scheduled at the discretion of the supervisor, if it does not interfere with work

responsibilities. Rest and lunch breaks may not be accumulated or substituted for paid leave.

## 7.05 TRAINING SESSION ATTENDANCE AND OTHER MEETINGS

City-required attendance at training or other meetings, whether before, during, or after an employee's regular work schedule, is work time.

Voluntary attendance at training or other meetings, whether before, during, or after the employee's regular work schedule is not working time. Attendance is "voluntary" only if employees are not led to believe that their working conditions or chance of continuing employment would be adversely affected by not attending the training/meeting.

If the training is required by an outside third party, it is not specifically considered work time if it occurs outside an employee's regular work schedule (certification training that is not specifically tailored to meet the particular needs of the City of Allen). Supervisors should obtain this determination from Human Resources prior to advising employees as to payment for this time.

## 7.06 TRAVEL TIME

The determination of travel time as work or non-work time depends upon the circumstances surrounding the travel. Ordinary travel time between home and work before or after regular working hours or scheduled overtime is **not** counted as hours worked. This is true whether the employee works at a fixed location or at different job sites. Travel time to and from home **is** considered work time when employees are called out after hours on emergencies that require work away from the normal work site and involve traveling a substantial distance. Payment of travel time for emergencies must be approved by the Department Head. When employees are given special one-day assignments in another city, travel time over and above the normal home-to-work time will be compensable. When employees are traveling on City business during their normal work hours, this is work time. However, travel time outside normal hours will not be compensable unless employees are actually performing work.

## 7.07 STAND-BY PAY

Non-public safety employees who rotate on required on-call status will receive payment in the amount of $15 per day for each 24-hour period for which they are designated as on-call.

## 7.08 ON-CALL PAY

On-call duty is an assigned duty to accomplish required work assignments after normal work hours. Eligible employees are designated by their supervisors as scheduled to serve on-call for a specific period of time. A non-exempt employee who is called back to work will be paid for two hours or the actual time worked, whichever is greater. If an employee's time can be used effectively for personal

purposes during the on-call period, even though the employee must carry a pager or leave a telephone number where s/he can be reached, the time will not be compensated or credited as time worked. Departmental changes must be approved by the City Manager.

## 7.09 LONGEVITY PAY

All regular full-time and part-time (.50 FTE or greater) employees who have completed at least one year of service will be eligible for longevity pay. Longevity will be paid in a lump sum during the month of December.

- Regular full-time employees: $4.00 per month for each month of completed service as of December 31.

- Regular part-time employees: $2.00 per month if the employee is regularly scheduled to work 20-29 hours per week; $1.00 per month if the employee is regularly scheduled to work fewer than 20 hours per week. The number of hours actually worked does not affect the longevity rate.

## 7.10 OUT OF CLASS PAY

All full-time City employees will be eligible for compensation above the employee's regular salary while performing the task and functions of the job description of a higher supervisory position over an extended period of time. Since each department has varying classifications and overlapping of salary ranges, each employee who is working within an approved out of class position will be compensated at an additional rate of pay equal to five percent (5%) of his/her current salary per hour. The department director must approve any compensation for out of class pay. The implementation of out of class pay will be done according to the following factors; however, in no case will compensation of an employee be affected by a lower salary range of another position.

- An employee must have fulfilled the duties of the higher position for more than 120 hours annually.
- After the initial 120 hours, compensation will be given to the employee.
- Supervisory tasks should be part of the job description of the position being worked.
- Compensation for the FLSA exempt classification will be considered separately and implemented only with the approval of the City Manager.

It is the responsibility of the Human Resources Director or designee to insure this policy is applied fairly and equitably.

Police Officers and Firefighter personnel are excluded from this provision.

# CHAPTER EIGHT
## PERFORMANCE APPRAISAL

### 8.01 PERFORMANCE APPRAISAL

#### 8.01 A RATING OBJECTIVES

An employee's job performance shall be appraised for the purpose of defining how well the employee is performing, encouraging open and honest discussions between employee and supervisor, and shall include the following:

1. Identification of job performance problems.

2. When job performance problem areas are identified, suggestions of specific corrective action employee should take to perform satisfactorily should be provided.

3. Documentation of performance which exceeds the fully acceptable level.

#### 8.01 B RATING FREQUENCY

All employees shall be rated on their anniversary month and day unless promoted or reclassified. Promoted/Reclassified employees shall have their evaluation month and day updated to one year from the effective date of their promotion/reclassification. Employees whose performance requires careful monitoring shall be provided more frequent evaluation.

#### 8.01 C COUNSELING

Employees will be furnished copies of their performance review upon request. Performance evaluators will individually discuss the reports with the employees and provide counsel regarding improvements in performance which appear desirable or necessary.

#### 8.01 D ELIGIBILITY FOR MERIT INCREASES

Merit increases will be based on employee's most recent annual performance appraisal.

# CHAPTER NINE
## LEAVE

### 9.01 SEVERABILITY OF COVERAGE

All provisions of this policy which grants benefits are subject to reduction or elimination at the discretion of the City Council. Employee's future entitlement to any benefit which is subsequently discontinued by the City Council will be governed solely by the requirements of applicable state and Federal law.

### 9.02 PAID LEAVE

#### 9.02 A WHEN PAID LEAVE IS CHARGED

Paid leave is only charged on days that an employee would otherwise be at work. No more than 40 hours may be charged to paid leave during a standard workweek. If an employee is on an approved alternate workweek schedule, the paid leave taken during the alternate workweek cannot exceed the maximum hours scheduled for the alternate workweek.

#### 9.02 B BENEFIT ACCRUAL WHILE ON PAID LEAVE

While on paid leave, leave and other benefits will continue to accrue at the rate to which the employee is entitled.

### 9.03 HOLIDAYS

#### 9.03 A OFFICIAL HOLIDAYS

The following holidays are recognized as official holidays:

1. New Year's Day
2. Memorial Day
3. Independence Day
4. Labor Day
5. Thanksgiving Day
6. Friday following Thanksgiving
7. Christmas Eve
8. Christmas Day
9. Personal Day – Designated as September 11th Holiday for Firefighter personnel
10. 2 Personal Days – For five years of service or greater

If a holiday falls on Saturday, the preceding Friday will be observed. If a holiday falls on Sunday, the following Monday will be observed. The City Manager reserves the right to modify the holiday schedule and will communicate any changes to City Staff.
Employees are provided a personal day each year that must be used in the calendar year it is accrued. Any unused personal day will be forfeited at the end of the calendar year. Personal Days are not paid out upon separation. Personal days must be used in whole day increments and must be approved in advance by the employee's supervisor.
Personal Days are allocated at the beginning of the calendar year in the following amounts:

| | |
|---|---|
| 1 Personal Day | start of employment to fifth anniversary |
| 2 Personal Days | fifth anniversary and beyond |

**9.03 B SCHEDULE**

The City of Allen reserves the right to schedule essential employees to work on designated holidays to maintain necessary levels of service.

**9.03 C RELIGIOUS OBSERVANCES**

Employees desiring to observe religious holidays not coinciding with official holidays may request leave under the provisions of the type of leave to be taken. Subject to maintenance of essential services, every accommodation will be made.

**9.03 D ABSENCE BEFORE OR AFTER A HOLIDAY**

Holiday pay will be withheld if an employee has an unscheduled absence the day before or the day after a holiday. An unscheduled absence is defined as one that has not been approved in advance by management. A Department Head may make exceptions for unscheduled absences due to emergency situations.

**9.03 E ALTERNATE WORKWEEK SCHEDULES**

When an official holiday falls on a full-time employee's regularly scheduled day off, (employees who work an alternate workweek schedule) the employee will be granted equivalent time off on another day. If another day cannot be arranged, the employee will be paid for the holiday within the same pay period that the official holiday is observed. Department Heads are responsible for ensuring that full-time employees working an alternate workweek schedule receive benefits for the full number of official holidays.
*Police and Fire personnel are exempt from provision 9.03(E)*

**9.03 F WORKING ON A HOLIDAY**

Employees that are required to work on an official holiday (as prescribed in the City's Leave Policy – Chapter 9 Section 9.03 A Items 1-8) will be compensated in accordance to the following:

1. **POSITIONS WITH FULL TIME EQUIVALENCY (FTE) .50 OR GREATER**
   At the discretion of the Department Head, full and part-time employees in positions with a full-time equivalency (FTE) of .50 or greater who work on an official holiday, may receive the number of hours equivalent to their FTE off with pay during the same workweek of the holiday or may be compensated for hours worked in addition to the holiday.

2. **POSITIONS WITH FULL TIME EQUIVALENCY (FTE) LESS THAN .50**
   Temporary, seasonal and part-time employees in positions with a full-time equivalency (FTE) less than .50 who are required to work on an official holiday will be compensated for the actual number of hours worked on the holiday at their regular rate of pay.

3. **POLICE PERSONNEL**

   Police Department personnel who work a shift schedule and who work on an actual holiday will be compensated at the holiday premium rate equal to 1.5 times their regular rate of pay.

   Police Department personnel who work a shift schedule and who work on an official holiday will also have the option to use their holiday for time off at any time during the fiscal year (management reserves the right to approve/deny time off requests based on workload or scheduling requirements) or to be paid out at any time during the fiscal year.
   Police Department personnel who are regularly scheduled off on an official holiday will have the option to be compensated for the holiday at the regular rate of pay during that holiday's pay period or accrue the holiday and have the remainder of the fiscal year to use that day.
   Any holiday that is accrued must be used by September 30th of the fiscal year. Any employee that has accrued holidays after September 30th will be compensated for those hours in October of that same year. No holiday may be carried over a fiscal year. The maximum accrual amounts shall not exceed 96 hours.

4. **FIRE PERSONNEL**

   Fire Department personnel shall select holiday time off through an established department process which takes place each fall. Shift personnel are required to submit a request to the Battalion Chief for approval on the dates the employee would like to designate as holidays for the coming calendar year.
   Holidays scheduled or changed after the first of the year will require approval through the chain of command to the Battalion Chief. Any

change request must take place prior to the leave. Change requests after the leave has occurred will be denied and the timesheet shall reflect the original request. The Battalion Chief will approve or deny the request and respond via email to confirm the status of the leave request.

### 9.03 G HOLIDAY PAY

Payment of a holiday will only occur on an official City holiday and not the actual holiday if the dates differ. Employees who are scheduled to work on a day that their City facility is closed, and the day is not recognized as an official City holiday, have the option to either utilize vacation leave or make up the time during the same work week with approval from their Department Head.

1. **POSITIONS WITH A FULL TME EQUIVALENCY (FTE) .50 OR GREATER**

   Part time employees with a full-time equivalency (FTE) of .50 or greater shall receive pro-rated holiday pay only for those holidays that fall on a day that the employee is regularly scheduled to work. The amount of holiday pay is based on the position's FTE and is calculated by multiplying the number of hours of the work-day (8 hours) by the FTE rate, rounded to the nearest hour.

   A part-time employee's work schedule should not be arbitrarily changed prior to a City holiday to deprive the employee of holiday pay or to provide additional pay inconsistent with the work schedule followed prior to the holiday.

2. **POSITIONS WITH A FULL TIME EQUIVALENCY (FTE) LESS THAN .50***

   Temporary, seasonal, and part-time employees with a full-time equivalency (FTE) less than .50 are not eligible to receive holiday pay.

   **Part time employees with an FTE less than .50 who were hired prior to October 1, 2008 are grandfathered under the previous policy and are eligible to receive pro-rated holiday pay according to their FTE. Any grandfathered employee who ends their employment with the City and is later re-hired as a part-time employee in a position with an FTE of less than .50 will not be eligible for paid leave benefits at the time of re-hire. Additionally, grandfathered employees who transfer to another position with an FTE of less than .50 will not be eligible for paid leave benefits at the time of the transfer.*

### 9.03 H MINIMUM USE

Holidays must be taken in whole day increments.

### 9.03 I HIRES & TERMINATIONS NEAR HOLIDAYS

Employees, who terminate employment with their last day of employment being the day before a holiday, will not receive pay for the holiday. New hires that begin employment on the day after a holiday will not receive pay for the holiday.

## 9.04 VACATION LEAVE

### 9.04 A ACCRUAL RATES

Full time employees, shall accrue the following amounts of vacation leave in 26 pay periods per calendar year:

| | |
|---|---|
| 120 hours | start of employment to tenth anniversary |
| 160 hours | tenth year anniversary and beyond |

Part-time employees* who are regularly scheduled to work 20 or more hours per week shall accrue vacation in proportion to their position's full-time equivalency.

**Part time employees with an FTE less than .50 who were hired prior to October 1, 2008 are grandfathered under the previous policy. Any grandfathered employee who ends their employment with the City and is later re-hired as a part-time employee in a position with an FTE of less than .50 will not be eligible for paid leave benefits at the time of re-hire. Additionally, grandfathered employees who transfer to another position with an FTE of less than .50 will not be eligible for paid leave benefits at the time of the transfer.*

### 9.04 B MAXIMUM ACCRUAL

Leave in excess of the following amounts will be forfeited after the payroll period that pays thru December 31st of each year. The City Manager may approve a one month extension.

| | |
|---|---|
| 200 hours | start of employment to fifth anniversary* |
| 300 hours | for Fire Shift personnel |
| | |
| 240 hours | fifth anniversary to tenth anniversary |
| 360 hours | for Fire-Shift personnel |
| | |
| 320 hours | tenth anniversary and beyond |
| 480 hours | for Fire-Shift personnel |

**Sworn Police Personnel may accrue a maximum of 240 hours after the first year of employment until the tenth anniversary. Sworn Fire Personnel*

*(shift/non-shift) may accrue a maximum of 360/240 hours after the first year of employment until the tenth anniversary.*

**9.04 C APPROVAL**

The City of Allen reserves the right to approve or disapprove vacation leave and personal day requests based on workload or scheduling requirements.

**9.04 D MINIMUM USE**

Vacation leave must be taken in not less than thirty-minute increments. Full time employees must use forty (40) hours, (sixty (60) hours for Fire Shift personnel), each calendar year. Part time employees who accrue vacation are held to the same mandatory vacation usage in proportion to their position's full-time equivalency.

**9.04 E PAYMENTS OF ACCRUED LEAVE**

Accrued vacation leave will be paid upon the employee's termination as listed in the chart below:

| | Maximum Hours Eligible for Pay Out | |
|---|---|---|
| Years of Service | General Govt | Fire Shift Personnel |
| Less than 1 year | 40 | 60 |
| 1 year but less than 2 years | 80 | 120 |
| 2 years but less than 3 years | 120 | 180 |
| 3 years but less than 4 years | 160 | 240 |
| 4 years but less than 5 years | 200 | 300 |

Employees with five or more years of service at time of separation will be paid for unused vacation leave up to the maximum accrual amount allowed.

**9.04 F NON-PAY STATUS**

A pay period with no working hours or paid leave reported will not accrue any leave.

**9.04 G ADVANCEMENT**

Leave credits may not be advanced without the approval of the City Manager.

**9.04 H RETENTION OF ACCRUAL**

Employees being laterally transferred, promoted, or demoted shall retain accrued vacation leave.

### 9.04 I HOW CHARGED

Vacation leave will be charged only for time during which the employee would ordinarily have worked.

### 9.04 J HOLIDAYS

Official holidays occurring during a vacation will be charged to holiday time rather than vacation time.

## 9.05 LEAVE WITHOUT PAY

### 9.05 A RESTRICTIONS

Employees requesting leave without pay must submit the Leave Without Pay Request Form, to the City Manager for approval. The City of Allen reserves the right to approve or disapprove requests for leave without pay.

### 9.05 B MAXIMUM USE OF LEAVE WITHOUT PAY

Leave without pay may not be granted in excess of 1,040 hours per fiscal year. The City Manager may authorize an extension of leave without pay up to an additional 173 hours.

### 9.05 C LEAVE ACCRUAL

Sick, vacation, personal day(s), and holidays will not accrue while an employee is on leave without pay.

### 9.05 D HOLIDAYS DURING LEAVE WITHOUT PAY

Employees are not eligible for paid holidays while on leave without pay. Employees on FMLA leave during a holiday are eligible for the paid holiday.

### 9.05 E INSURANCE COVERAGE

Employees who desire to continue coverage during periods of leave without pay must make advance arrangements to pay the required premium amounts. If the insurance policy requires a premium paid in part by the employee, the employee must pay his/her portion of the premium as well as the portion normally paid by the City by the date of the missed paycheck or enrollment in that particular policy may be terminated.

## 9.06 JURY / COURT DUTY LEAVE

### 9.06 A PAID LEAVE

The City of Allen will continue the regular straight-time salary when employees are called to jury duty if called during normal duty hours. The juror's allowance shall not be deducted from employee's pay.

### 9.06 B DOCUMENTATION REQUIRED

Employees must submit to their supervisor a copy of the jury summons as with a copy of the court pay voucher upon completion of jury duty as evidence of the duration of service.

### 9.06 C COURT APPEARANCE

Employees appearing in court in the line of official City business, including appearing on behalf of the County, State, or Federal government for services related to City duties or subpoenaed for cases beyond their control, will be paid for the time off.

### 9.06 D PERSONAL / PRIVATE BUSINESS

Employees appearing in court in instances unrelated to City business and instances in which they were not subpoenaed will not be paid for the time off. Vacation time may be used in such situations.

### 9.06 E RETURN TO WORK

Once an employee has fulfilled his obligation to the court, he/she must return to work if there are at least two hours of the employee's standard workday remaining.

## 9.07 MILITARY LEAVE

Military leave will be granted in accordance with applicable State and Federal laws. Employees preparing to take military leave shall furnish the City copies of military orders or other applicable certification. An employee will notify the City as far as possible in advance if the employee knows that he/she will find it necessary to take military leave. References to military service (or simply service) within this section are as defined by the Uniformed Services Employment and Reemployment Rights Act.

### 9.07 A TIME GRANTED

Employees will be granted 15 days paid military leave per fiscal year. All leave in excess of 15 days may be charged to accrued vacation leave. If vacation

leave is unable to fully compensate for all time on military leave over 15 days, the employee will be considered to be on leave without pay.

**9.07 B PROVISIONS**

1. Military leave includes time included in the employee's orders and paid for or reimbursed by the military service.

2. Military leave includes time required for physical examination for selection or admission into military service, to determine or maintain a selective service rating, state service in the National Guard, to maintain reserve status, or for training required and paid for by the service.

3. Military leave will not be granted for diagnosis or treatment of any service-related injury, sickness, or disability, for obtaining or sustaining any disability rating, or for treatment in any government facility unless done so under military orders. Leave of this nature properly falls under the Sick Leave category and its provisions as prescribed in Section 9.13.

4. Military leave will only be given in lieu of regularly scheduled work hours.

5. The City may provide supplemental salary for up to one year for employees on military leave.

6. Employee benefits can continue for the employee while on military leave if the employee elects to continue coverage. The employee must pay the full amount for the continued cost of the employee's family benefits.

**9.07 C RETURN TO WORK**

Employees must notify his/her supervisor of the date in which they anticipate returning to work. Upon return to work following a period of military service, the employee:

1. Will, upon the end of military duty, report to work on the first scheduled work day or regular shift starting on the next scheduled work day after return to the employee's residence from place of military duty if the employee has been on duty from 1 to 30 days, within 14 days after release after duty of 31-180 days, and after 90 days if the duty is 181 days or more.

2. Will return to the position of employment in which he would have been employed if the period of employment with the City had not

been interrupted by such service, with the caveat that the employee is still qualified to perform those duties, or can be re-qualified to perform the duties of their original position after reasonable efforts by the City to qualify the person.

3. If the length of service exceeds 90 days, the employee may be transferred to a position of like seniority, status and pay if the employee is qualified to perform the duties of that position with or without reasonable efforts by the City to qualify the person, if such position is available.

4. If the employee has a disability incurred in, or aggravated during military service, the department shall make reasonable efforts to accommodate the disability, and the person may be reemployed in a position which is equivalent to or the nearest approximation in seniority, status and pay, the duties of which the employee is qualified to perform after reasonable efforts by the City, if such position is available.

5. If, after a period of military service, the person is not and cannot become qualified to be employed in any of the foregoing positions after reasonable efforts by the City, he will be placed in any other position of lesser status and pay which he is qualified to perform, with full seniority, if such position is available.

6. Seniority benefits will be continued as if there had been no break in the employee's employment.

## 9.08 PREGNANCY AND CARE OF NEWBORNS

As per the Pregnancy Discrimination Act of 1978, pregnancy is treated as a temporary disability and alternate duty may be assigned if the pregnant employee is unable to fulfill her normal job functions. In these cases the employee is covered by the City's Alternate Duty policy as prescribed in Section 18.03. After the birth or adoption of a baby, an employee can take any available paid leave benefits to stay at home to care for the child. If the leave is in excess of three (3) days the City of Allen reserves the right to place the employee on FMLA leave as prescribed in Section 9.14.

## 9.09 FUNERAL LEAVE

Employees may be granted up to three (3) days in a fiscal year, to attend the funeral or to grieve the death of a member of the employee's immediate household or family, including parent, brother, sister, spouse, child (including miscarriage), grandparent, parent-in-law, brother-in-law, sister-in-law, grandparent-in-law, legal guardian or ward, grandchildren, step-parents, step-

child, step-brother, step-sister. Requests for additional time, or leave in excess of one occurrence, are subject to approval of the City Manager. If multiple deaths occur simultaneously within the family, a special exception to the allowance of three (3) days may be approved by the City Manager.

## 9.10 UNAUTHORIZED LEAVE

Unauthorized absences for three (3) consecutive days will be considered job abandonment and will result in termination of the employee. There is no appeal for termination due to unauthorized absences. Employees leaving their work station without approval or authorization, except for established rest periods, may be subject to discipline up to and including termination.

## 9.11 ADMINISTRATIVE LEAVE

With the approval of the City Manager or Department Head, administrative leave with pay may be granted to permit an employee to vote in official elections, participate in investigative proceedings, training activities, legislative proceedings, civic functions or any other purpose deemed to be in the City's best interests.

When deemed appropriate by the City Manager, an employee who is under investigation or charged with a crime may be placed on administrative leave without pay. Administrative leave without pay may be also utilized when employees have exhausted all accrued paid leave or have been placed on such leave by their respective Department Head, the Human Resources Director, or the City Manager.

## 9.12 ADVANCEMENT OF LEAVE

No leave may be advanced without approval of the City Manager.

## 9.13 SICK LEAVE

### 9.13 A SICK LEAVE ACCRUAL

Full-time employees on a 40-hour workweek shall accrue 4.62 hours towards sick leave per pay period. Fire shift personnel working in excess of 56 hours per week shall accrue 6.92 hours towards sick leave per pay period. Part-time employees* who are regularly scheduled to work 20 hours or more per week shall accumulate sick leave in proportion to time worked.

**Part-time employees with an FTE less than .50 who were hired prior to October 1, 2008 are grandfathered under the previous policy. Any grandfathered employee who ends their employment with the City and is*

*later re-hired as a part-time employee in a position with an FTE of less than .50 will not be eligible for paid leave benefits at the time of re-hire. Additionally, grandfathered employees who transfer to another position with an FTE of less than .50 will not be eligible for paid leave benefits at the time of the transfer.*

**9.13 B MAXIMUM ACCRUAL**

Employees may accrue an unlimited amount of sick leave.

**9.13 C MINIMUM USE**

Sick leave may be taken in not less than thirty-minute increments.

**9.13 D SICK LEAVE AND OVERTIME**

Absences charged to sick leave will only cover payment for the employee's regular schedule and will not include overtime whether scheduled or not.

**9.13 E BASIS FOR USE**

Sick leave may be used for personal or family illness, injury, legal quarantine, care of a newborn infant, or routine health care appointments, which cannot reasonably be scheduled outside working hours.

**9.13 F VERIFICATION**

The City may request and obtain verification of the circumstances surrounding any use of sick leave.

**9.13 G TRANSFERABILITY OF CREDITS**

Sick leave credits are not transferable between employees.

**9.13 H PAYMENT UPON SEPARATION**

Employees with less than five years of service are not eligible for sick accrual pay out.

Employees with five or more years of service at time of separation will be paid for unused sick leave at the rate of 24 hours (36 hours for fire shift personnel) for each complete year of service up to a maximum of 720 hours (1,080 hours for fire shift personnel).

If separation occurs on or after the 16th day of the 11th month of any service year, the separating employee will be considered to have served a complete year. A retired employee or beneficiary of a deceased employee is entitled to

payment for up to 720 hours (1,080 hours for fire shift personnel) of accrued sick leave, regardless of length of service.

Employees who elect to retire from the City through TMRS are eligible for sick leave payouts up to a maximum of 720 hours (1,080 hours for fire shift personnel).

### 9.13 I DENIAL OF SICK LEAVE

While eligible employees may be entitled to unpaid FMLA leave, employees are not entitled to paid sick leave when they are absent for reasons relating to: (1) purposefully inflicted injuries; (2) caused by willful misconduct; (3) sustained while on leave of absence without pay; or (4) sustained as a result of another job, not previously approved by the City of Allen. This provision shall not apply to employees who qualify as "individuals with a disability" under the Americans with Disabilities Act (ADA) of 1990, regardless of the reason for their injuries.

### 9.13 J ILLNESS WHILE ON VACATION

If an employee becomes ill or is injured while on vacation leave, the employee may request that the time spent sick or injured may come from sick leave instead of vacation leave.

### 9.13 K SICK LEAVE WHILE ON UNPAID LEAVE/SUSPENSION

An employee on leave without pay or suspension forfeits the use and accrual of sick leave for the duration of the leave without pay, except to the extent that the leave without pay is authorized by the Family and Medical Leave Act. Upon completion of the leave without pay, the employee must either physically return to work if healthy or submit an approved original doctor's statement justifying inability to return to work before sick leave credit and accrual may be restored.

### 9.13 L EXHAUSTION OF SICK LEAVE

When an employee uses all sick leave and vacation leave, then the employee may be placed on leave without pay if approved by the City Manager or in accordance with the Family and Medical Leave Act.

## 9.14 FMLA LEAVE

### 9.14 A DEFINED

Employees may take up to twelve weeks of unpaid leave per year in accordance with the national Family and Medical Leave Act (FMLA) of 1993.

Application of this policy will vary according to the conditions set forth in this section. For situations or events in which this policy does not directly provide resolution, the FMLA and its regulations will apply. The period during which employees are in an unpaid status but protected by this policy will be referred to as "FMLA leave." The length of FMLA leave will be determined by the employee but shall not exceed twelve (12) weeks.

**9.14 B COVERAGE**

FMLA coverage provides eligible employees up to 12 weeks of unpaid, job-protected leave for the following reasons:

1. For incapacity due to pregnancy, prenatal medical care or child birth;

2. To care for the employee's child after birth, or placement for adoption or foster care;

3. To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or

4. For a serious health condition that makes the employee unable to perform the employee's job.

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active-duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

**9.14 C ELIGIBILITY**

Employees who are eligible for this leave have worked for the City at least twelve (12) months in total and at least 1,250 hours during the twelve (12) months immediately preceding the beginning of the leave. A person

reemployed under The Uniformed Services Employment and Reemployment Rights Act (USERRA) must be given credit for any months and hours of service he or she would have been employed but for the military service in determining leave eligibility under Family and Medical Leave Act (FMLA).

### 9.14 D NOTICE AND SCHEDULING

An employee must provide at least 30 days advance notice of his/her intention to take FMLA leave, to the extent he/she is able to do so. This notice, regardless of the date it takes effect, must be made in writing to a Benefits representative in the Human Resources Department and must include the effective date of FMLA leave, the nature of the employee's need for leave, the name and address of the concerned physician, the date the employee intends to return to work, and the employee's intentions with respect to using other paid and unpaid time off.

Employees who have serious health conditions or are caring for seriously ill children, parents or spouses may take their leave intermittently or on a reduced work schedule if this is medically necessary. Leave due to qualifying (military) exigencies may also be taken on an intermittent basis.

### 9.14 E EXTENDED MEDICAL LEAVE

Nothing in this policy prevents the City from granting unpaid family or medical leave for employees beyond the initial twelve (12) weeks, however, the same protections and benefits granted under FMLA leave will not be continued during this extended leave. The provisions of Section 9.05 will apply to employees on extended medical leave.

### 9.14 F CERTIFICATION

The City may require that employees requesting FMLA leave provide a certification from a doctor or other health care provider verifying the need for the leave. If the leave is to care for a child, spouse or parent of the employee, the City may also ask for a statement that the employee is needed to care for this person and an estimate of the amount of the time the employee will be needed to provide this care. If the need for leave is due to an employee's own serious health condition, the City may ask for a statement that the employee is unable to perform the functions of his/her job.

Furthermore, the City may require that the employee (or the individual the employee is caring for) get a second or a third medical opinion on the accuracy of the information provided in the certification; the cost of these extra opinions will be paid by the City.

When qualifying (military) exigency leave is taken due to an employee's spouse, or a son, daughter, or parent, of the employee is on active duty, or because of notification of an impending call or order to active duty in support of a contingency operation, the leave may commence as soon as the individual receives the call-up notice. Proof of the qualifying family member's call-up or active military service must be provided to the Human Resources Department before leave is granted.

### 9.14 G JOB PROTECTION

Upon their return to work, employees taking FMLA leave will be reinstated in their previous jobs or equivalent positions with equivalent pay.

### 9.14 H BENEFITS CONTINUED

The City will continue insurance benefits for employees on FMLA leave at the same level at which benefits would be provided were the employee actively at work. If the insurance policy requires a premium paid in part by the employee, the employee must pay his/her portion of the premium by the paycheck date in which the premium is due or enrollment in that particular policy may be terminated. If the employee quits during or after the FMLA leave, but before returning to work, the City may recapture payments made for health benefits during that period from the former employee, subject to the FMLA.

### 9.14 I ACCRUAL OF BENEFITS DURING FMLA LEAVE

Employees taking unpaid FMLA leave will not accrue sick leave, vacation leave, seniority (longevity), disability, or TMRS benefits. Employees on unpaid FMLA leave are eligible for paid holidays.

### 9.14 J PAID LEAVE AND FMLA

The City will require all employees taking FMLA leave for their own serious health condition, or to care for a spouse, son, daughter or parent with a serious health condition to use all their accrued paid leave benefits concurrently with their FMLA leave. Sick leave must be used first followed by personal day(s), vacation, or banked holiday, if applicable, for FMLA absences. The accrued paid leave benefits will count towards the 12-week FMLA total. Employees who are out due to workers' compensation are also required to use FMLA.

### 9.14 K SPOUSES EMPLOYED BY THE CITY

If a husband and wife, both of whom are employed by the City, each wishes to take leave for the birth or adoption of a child or to take care for a sick parent may be limited to a combined total of 12 weeks. This limitation does not apply

to leave for either the husband's or wife's own serious health condition or the serious health condition of a child.
If a husband and wife, both of whom are employed by the City, each wishes to take leave for the care of a qualified military service member, the eligible employees shall be entitled to a combined total of 26 workweeks of FMLA leave.

## 9.15 CATASTROPHIC LEAVE

Eligible participating employees who have exhausted all available leave balances have the opportunity to receive additional leave benefits from a Catastrophic Leve bank for extended absences in the case of catastrophic illness or injury to the employee or eligible family member.

### 9.15 A PROCEDURES

1. Eligibility: All regular full-time employees are eligible to participate. Participation in the program is voluntary. Only employees contributing at least eight (8) sick leave hours during Benefit Open Enrollment Period are eligible to receive paid leave from the Catastrophic Leave bank in the following twelve (12) months.

2. Enrollment: Eligible employees may only enroll during the Annual Benefits Enrollment period of each year by completing an enrollment form available at the Human Resources Department. Participation in the Catastrophic Leave bank becomes effective October 1.

3. Minimum Contribution: Employees wishing to participate may contribute a minimum of one day (i.e. 8 hours, 10 hours, 12 hours, or 24 hours based on workday hours worked) of accrued sick leave each year. Contributions will be credited to the Catastrophic Leave bank on the first full pay period which begins after October 1. Employees electing to participate must contribute hours from the sick accrual account.

   Employees contributing to the Catastrophic Leave bank, must have a combined leave (sick, and vacation leave) balance of eighty (80) hours (120 for fire-shift personnel) after the contribution.

4. Maximum Contribution: The maximum annual contribution to the Catastrophic Leave bank is forty (40) hours per employee (120 for fire shift personnel; 48 for police 12 hour shift personnel).

5. Contributions to the Catastrophic Leave bank may not be designated for use by any specific employee.

6. Time donated by an employee may not be recovered or recaptured and will be counted as hour for hour.

7. The Catastrophic Leave bank balance will reset September 30th to reflect the contributions for the new fiscal year.

8. An employee is unable to participate in Short Term Disability while using Catastrophic Leave.

**9.15 B DEFINITIONS**

Catastrophic Illness or Injury: A serious health condition that affects the employee, or the employee's spouse, child or parent, which is unanticipated, non-job related, not self-inflicted, and requires an employee's absence without pay for a period of at least one week after all leave balances have been exhausted. This is further defined as those illnesses or accidents which require confinement in a hospital or accidents which require extensive medical care of an unforeseeable nature. Examples include life threatening injury or illness, cancer, AIDS, heart surgery, stroke, etc. Catastrophic illnesses shall not include elective surgery nor unforeseeable medical care rendered as a result if something other than injury or disease.

**9.15 C CATASTROPHIC LEAVE ADMINISTRATION**

All requests for Catastrophic Leave shall be reviewed by Human Resources Department. A representative from the Human Resources Department will act as the primary administrator and contact for the program.

**9.15 D LEAVE REQUEST PROCESS**

Application for Catastrophic Leave must be made in the standard form provided by the Human Resources Department. Each application must include the standard FMLA form with a health care provider's signed statement. The request must include the health care provider's name, address and phone number. The forms shall be submitted to the Human Resources Department.

The maximum hours of catastrophic leave that may be requested and be granted is 480 hours in a 12-month period. The total (unpaid and/or paid) leave permitted is 1,040 hours.

Approved hours are allocated on a first-come, first-serve basis. Once the bank is exhausted, catastrophic leave will not be available until the next Open Enrollment period and employees elect to contribute to the Catastrophic Leave bank.

## 9.15 E APPLICATION REVIEW

1. The Human Resources Department will review each application and ensure that each of the following conditions have been met:

    - Employee is enrolled as a participant in the Catastrophic Leave bank;

    - Employee's entire accumulated leave (sick, vacation, personal day(s) has been exhausted;

    - Proper documentation is complete and is provided in a timely manner; and

    - The requesting employee has a qualifying catastrophic illness or injury.

The Human Resources Department will inform the applicant of their decision in writing within five (5) business days after the receipt of the application.

2. Employees may request donations based on their work-day hours (i.e., 8, 10, 12 or 24 hours) only.

3. While an employee is receiving benefits from the Catastrophic Leave bank, he/she will not continue to accrue vacation, sick, or holiday leave.

4. Catastrophic Leave that is granted and not used by the employee will revert back to the Catastrophic Leave Bank.

5. If a separation of employment occurs while an employee is utilizing Catastrophic Leave, the employee may not receive payment for the remaining balance of their Catastrophic Leave.

## 9.15 F INELIGIBILITY

A participating employee shall lose the right to obtain benefits form the Catastrophic Leave bank by:

- Termination of employment, including resignation, involuntary termination and retirement;

- Refusal to comply with the policies and procedures set forth in the Human Resources Personnel and Policies Manual and/or this policy; or

- Determination of permanent disability by the U.S. Social Security Administration.

### 9.15 G APPEAL PROCESS

An employee whose request for Catastrophic Leave benefits is denied by the Human Resources Department may appeal the denial to the City Manager, or designee, but must do so in writing within five (5) business days of receiving notification that the request was denied. The City Manager, or designee upon review of the documents, shall issue a binding and non-appealable decision in writing no later than five (5) business days of receipt of the appeal notification.

## 9.16 PAID QUARANTINE LEAVE FOR FIREFIGHTERS, PEACE OFFICERS AND DETENTION OFFICERS

### 9.16 A PURPOSE

To provide paid leave to detention officers, sworn police and firefighters who are **ordered** to quarantine or isolate by the City's health authority or authority designated by City Management due to a possible or known exposure to a communicable disease while on duty, in accordance with Texas House Bill 2073.

### 9.16 B POLICY

A fire fighter, sworn peace officer, or detention officer, on paid quarantine leave receives:

1. All employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits for the duration of the leave; and
2. Reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation; and
3. Requires that the leave be ordered by the person's supervisor.

A political subdivision may not reduce a fire fighter's, peace officer's, or detention officer's, sick leave balance, vacation leave balance, holiday leave balance, or other paid leave balance in connection with paid quarantine leave taken.

### 9.16 C QUALIFYING FOR COVERAGE

The policy applies to detention officers, fire fighters, and sworn peace officers, as defined in Chapter 180 of the Texas Local Government Code, who are ordered to quarantine or isolate by the person's supervisor due to a possible or known exposure to a communicable disease while on duty.

1. The employee must notify their supervisor of a known exposure while on duty or the employee's supervisor notifies the employee of a confirmed exposure while on duty.
2. The employee must have a positive test or be awaiting testing and/or results as ordered by their supervisor or authority designated by City Management.
3. The employee must file a workers compensation claim.
4. The employee must be unable to work (or telework) due to a need to quarantine or isolate.

### 9.16 D LENGTH OF QUARANTIVE LEAVE PROVIDED

Quarantine leave runs concurrently with any other workers compensation leave. Paid quarantine leave is in addition to the City's existing paid sick leave policies. Sworn police officers, fire fighters or detention officers are not required to use accrued vacation time, sick time, or other paid time off before using quarantine leave, provided the employee qualifies for coverage as outlined above.

### 9.16 E BENEFITS

A. All employment benefits and compensation, including leave accrual, pension benefits, and health plan benefits remain in effect for the duration of the leave.

B. Reimbursement for reasonable costs related to the quarantine, including lodging, medical and transportation may be covered.

# CHAPTER TEN
## INCLEMENT WEATHER AND NATURAL DISASTERS

### 10.01 PURPOSE

To establish guidelines to account for employee absences and actions when inclement weather conditions or natural disasters occur.

### 10.02 POLICY

The City is responsible for vital public services that must be continued regardless of weather conditions. Depending on the situation, Department Heads may determine some positions essential to the City's function and must remain at their job site or report to work at their regular time. Alternatively, they must be ready to report if summoned or at whatever time their supervisor designates in advance. The employee's supervisor will work with the employee to ensure they arrive safely at the work site. If an employee is not required to be at work, it is the employee's decision as to whether or not they can arrive at work safely, or can continue at work, under adverse weather conditions.

### 10.03 PROCEDURE

It is the City Manager's responsibility to decide and declare whether the policy for inclement weather or natural disaster conditions is in effect. The City Manager will notify Department Heads and the public information officer. The PIO will then be responsible for notifying the local radio and television stations, and the City's government access cable channel 6. An employee's primary point of contact for learning whether the policy is in effect is his/her supervisor.

1. When the City Manager declares the policy to be in effect, the following rules apply:

    a. A non-essential employee arriving no more than 2.5 hours past the regular reporting time will be given full credit for the workday.

    b. A non-essential employee arriving to work more than 2.5 hours past the regular reporting time may use any accrued leave, except sick leave, to be credited against the time missed beyond the 2.5 hours. Lost time may be made up during the remainder of the week with their supervisor's permission.

c. Non essential employees who are unable to arrive at work may use any accrued personal leave time, or make up the lost time during the remainder of the week with their supervisor's permission.

d. The employee will contact his/her supervisor and notify their supervisor if they are unable to come to work.

e. Employees that are unable to return home at the end of their regular work day due to inclement weather can find shelter overnight at the Central Fire Station.

2. A Department Head, the City Manager, or the City Manager's designee may send non-essential employees home when unsafe weather conditions or a natural disaster develop during the day. Employees sent home will be given credit for a full work day.

3. During a declared inclement weather period or natural disaster employees deemed to be essential by their Department Heads or the City Manager may be expected to provide service above and beyond their normal duties. Essential employees are expected to be able and willing:

   a. To report to work at their normal time;

   b. To be on call via page or phone and subject to reporting for duty outside of regular work hours;

   c. To work extended hours;

   d. To work different shift hours from normal;

   e. To perform duties different from normal practice;

   f. To work under the direction of different supervisors or in different departments; and

   g. To operate under procedures or policies that may have to be temporarily amended by the City Manager or Department Heads to cope with disaster situations.

4. It is the City Manager's responsibility to announce when the inclement weather/natural disaster policy is no longer in effect due to the cessation of the weather conditions that triggered it. This announcement will be conducted in the same manner as the policy initiation announcement.

# CHAPTER ELEVEN
## STANDARDS OF CONDUCT

### 11.01 CONDUCT

#### 11.01 ARULES OF CONDUCT

The following is a non-inclusive list of offenses which shall apply to all employees and shall be grounds for disciplinary action up to and including termination.

1. **Unsatisfactory Attendance:** Excessive absences, excessive tardiness, failure to report to work without reporting the reason to the immediate supervisor, failure to follow the procedures for requesting or using leave.

2. **Abandonment of Job**: Absence for two (2) consecutive working days without prior authorized leave. Employees shall be considered to have abandoned their jobs and shall be terminated without appeal rights.

3. **Indifference Toward Job**: Gross repeated neglect of duty, loafing, carelessness, lack of initiative, poor attitude, lack of cooperation, failure to remain at work, leaving work without permission, sleeping or otherwise being inactive during working hours, inefficiency, performing personal business during working hours, abuse of eating and/or rest periods, interfering with work of others, discourteous treatment of the public or other employees, failure to maintain a current license or certificate required as a condition for performing the job, failure to account for City of Allen documents or property.

4. **Incompetence or Unsatisfactory Work Performance**: Demonstrated inability to perform the duties of a position as specified in the employee's job description, unsuccessful completion of the probationary period.

5. **Insubordination**: Willful failure or refusal to perform assigned work, or to fully comply with instructions or orders as requested by the supervisor. Except if:

    a. the employee feels that an instruction or order places the employee or other persons in danger or in violation of the

law, or would damage City or private property, the employee may request approval from the next higher level of supervision, unless the risks the employee complains of are inherent to his normal job.

6. **Violation of Safety Rules**: Smoking, or the use of an electronic smoking device, in prohibited areas, improper removal of safety guards, fire extinguishers or other equipment designed to protect employees, failure to use safety equipment or to follow safety practices or rules, carelessness, neglect or improper use of property or equipment, injuring a fellow employee through negligence or through deliberate action, causing a preventable accident.

7. **Dishonesty**: Stealing, or taking City of Allen property or property of other employees without prior authorization, misuse of funds, misrepresentation, cheating, forging or knowingly falsifying official City of Allen reports, records or documents, knowingly misusing paid leave of absence.

8. **Disturbance**: Fighting, using profane, abusive or threatening language, using unnecessary loud or boisterous language, offensive conduct, spreading false reports or otherwise disrupting the harmonious relations between employees, possession of unauthorized firearms or lethal weapons on the job.

9. **Alcohol or Drugs**: Possessing, buying, using (unless prescribed for employee or purchased over the counter) or transferring possession of drugs (as defined by Section 1.02 of the Texas Controlled Substances Act) while performing assigned duties or during working hours, consuming or being intoxicated by use of drugs or alcohol while performing assigned duties or while operating vehicles or equipment during working hours, reporting for work while under the influence of drugs (unless prescribed for employee or purchased over the counter) or while intoxicated from consumption of alcoholic beverage(s).

10. **Misconduct**: Any criminal offense or other conduct, including immoral conduct, during working or off duty hours, which have an adverse impact on the City of Allen.

11. **Conduct Inconsistent with Interests of City of Allen**: Violation of nepotism, harassment, secondary employment, records or other conduct policies addressed in this manual.

## 11.01 B WORK STANDARDS

It is the duty of each employee to maintain high standards of productivity, cooperation, efficiency, and economy in his/her work for the City. Department Heads will organize and direct the work of their departments to achieve these objectives.

If work habits, attitude, production, and/or personal conduct of an employee fall below acceptable standards, supervisors should point out the deficiencies at the time observed. Counseling and warning the employee in sufficient time for improvement will ordinarily precede formal disciplinary action, but nothing shall prevent immediate action as required to meet the best interests of the City.

## 11.01 C ABUSE OF CITY PROPERTY

Abuse of City property is exemplified by, but is not limited to, negligent damage or destruction of City equipment or property, waste of materials or negligent loss of tools or materials, purposeful or improper maintenance of equipment, or damage caused by use of tools or equipment for purposes other than that for which the tool or equipment was intended. In addition to being subject to appropriate disciplinary action, an employee may be responsible for the repair or replacement of any item willfully or recklessly damaged by the employee. Failure to reimburse the City is cause for discipline up to and including termination.

## 11.01 D POLITICAL ACTIVITY

Except as may be otherwise provided by law, employees will refrain from using their position or influence for or against any candidate for public office. Employees shall not directly or indirectly coerce, attempt to coerce, command or advise another employee to pay, lend, or contribute anything of value to a party, committee, organization, or person for political purpose. No employee may seek or hold an appointive or elective City of Allen office. No employee may seek or hold an office of public trust, or partisan office in any jurisdiction, where such service would constitute a conflict of interest with City employment, with or without remuneration. If an employee decides to seek or assume such office then that person shall resign from City service or will be dismissed for failure to do so.

## 11.01 E SOLICITATION

Solicitation of funds or anything of value for personal profit shall not be permitted. An employee also may not represent or appear on the behalf of any private interest before any City agency or associated agency.

## 11.01 F ETHICS HOTLINE

The City of Allen is committed to the highest possible standards of ethical, moral and legal business conduct. In conjunction with this commitment and the City of Allen's commitment to open communication, this policy aims to provide an avenue for employees to raise concerns and reassurance that they will be protected from reprisals, victimization or retaliation for whistleblowing in good faith. However, if an employee feels that their anonymity is not required then they should follow the existing grievance procedure

1. **Whistleblowing Policy:** The whistleblowing policy is intended to cover serious concerns that could have a large impact on the City of Allen, such as actions that:

    a. May lead to incorrect financial reporting;
    b. Are unlawful;
    c. Are not in line with the administrative directive policy, including the Standards of Conduct; or,
    d. Otherwise amount to serious improper conduct.

    Regular business matters that that do not require anonymity should be directed to the employee's supervisor and are not addressed by this policy. All employees, including directors, managers, supervisors, and representatives of the city are required to complete ethics training on a biennial basis. All agents are required to sign and acknowledge they have received this policy.

2. **Safeguards:**

    a. **Harassment, Victimization or Retaliation -** Harassment or victimization of individuals submitting hotline reports will not be tolerated. All city employees are encouraged to report non-compliance and ethics issues without fear of retaliation.

    b. **Confidentiality -** Every effort will be made to protect the reporter's identity by the hotline vendor. However, the information provided in a hotline report may be the basis of an internal and/or external investigation by the city into the issue being reported. It is possible that as a result of the information provided in a report the reporter's identity may become known to us during the course of an investigation.

    c. **Anonymous Allegations -** The hotline allows employees to remain anonymous at their option. Concerns expressed anonymously will be investigated, but consideration will be given to:

i. The seriousness of the issue raised;

ii. The credibility of the concern; and

iii. The likelihood of confirming the allegation from attributable sources

d. Malicious Allegations - Malicious allegations may result in disciplinary action

3. **Procedure:**

a. Reporting - The whistleblowing hotline is intended to be used for serious and sensitive issues. Serious concerns relating to financial reporting, unethical or illegal conduct, should be reported in either of the following ways:

i. Website: http://www.lighthouse-services.com/cityofallen

ii. English speaking USA and Canada: (833) 610-00700 (not available from Mexico)

iii. Spanish Speaking USA & Canada: (833) 216-1288 (from Mexico user must dial 01-800-681-5340

iv. E-mail: reports@lighthouse-services.com (must include 'City of Allen' with report

v. Fax alternative for written documents: 215-689-3885 (must include 'City of Allen' with report

b. Reporters to the hotline will have the ability to remain anonymous if they choose. Please note that the information provided through the hotline may be the basis of an internal and/or external investigation into the reported issue. Anonymity will be protected to the extent possible by law. However, identity may become known during the course of the investigation because of the information provided.

c. Reports are submitted by the hotline vendor to the City of Allen or its designee, and may or may not be investigated at the sole discretion of the City. In keeping with best practices and effective risk mitigation strategies, the City has designated the following recipients for hotline reports:

i. Suspected Fraud, Compliance or Ethical Reports –

- City Manager
- City Attorney
- Chief Financial Officer

ii. Human Resources Reports –
- City Manager
- City Attorney
- Human Resources Director

d. Employment-related concerns should continue to be reported through a supervisor or Human Resources Department.

e. Evidence - Employees submitting reports need to demonstrate in their hotline report that there are sufficient grounds for concern

4. **How the Report will be Handled**: The action taken will depend on the nature of the concern.

a. Initial Inquiries - Initial inquiries will be made to determine whether an investigation is appropriate, and the form that it should take. Some concerns may be resolved by agreed upon action without the need for an investigation
b. Feedback to Reporter – Whether reported directly to the City of Allen personnel or through the hotline, the individual submitting a report will be given the opportunity to receive follow-up on their concern:

i. Acknowledging that the concern was received
ii. Indicating how the matter will be dealt with;
iii. Giving an estimate of the time that it will take for a final response;
iv. Telling them whether initial inquiries have been made;
v. Telling them whether further investigations will follow, and if not, why not

c. Further Information - The amount of contact between the individual submitting a report and the body investigating the concern will depend on the nature of the issue, the clarity of information provided, and whether the employee remains accessible for follow-up. Further information may be sought from the reporter through the hotline vender.
d. Outcome of an Investigation - At the discretion of the city and subject to legal and other constraints the reporter may be entitled to receive information about the outcome of an investigation

e. The Human Resources Director, or designee, will be responsible for overseeing with the standards and procedures of this policy.

## 11.01 G BUSINESS ACTIVITY

An employee is prohibited from conducting any business on behalf of the City in his/her official capacity with any business entity with which he/she is a member, agent, or officer or owns a substantial interest. In the event that such a conflict of interest occurs, the employee must remove himself from any proceedings involving the City and the business entity by turning the matter over to his/her supervisor with a statement of why the employee can no longer be involved.

## 11.01 H FINANCIAL OBLIGATIONS

All employees are expected to keep their personal financial affairs in good order. Employees should make every effort to ensure that creditors do not contact them during office hours. Failure to pay just debts, including taxes, will constitute grounds for disciplinary action.

## 11.01 I ACCEPTANCE OF GIFTS

All employees, regardless of their positions, are prohibited from accepting gifts or gratuities from individuals or firms with which the City does business or an individual or firm seeking City business or any kind of special consideration. In many instances, businesses have a policy of giving gifts during the holiday seasons and return of such gifts could create unnecessary ill will for the City. Under these circumstances, gifts will be donated to appropriate organizations or made available for general employee consumption. Should any question concerning the procedure for disposing of a gift arise, the City Manager should be consulted. Employees should not take advantage of their position to secure gifts or special privileges either for themselves or others.

## 11.01 J OUTSIDE COMPENSATION

No employee shall receive any fee or compensation from a source other than the City of Allen for work done as an employee of the City of Allen except as may be otherwise provided by law. This does not preclude performing the same activities as in the employee's City job for a private organization provided that there is no conflict with the employee's responsibilities to his/her City employment.

### 11.01 K PROHIBITING FIREARMS IN CITY FACILITIES

No employee, other than a peace officer, is permitted to carry any type of firearm or weapon on his/her person at a City work site, in any City building, or in any City-owned vehicle while conducting City business unless the weapon is used in conjunction with the type of City service provided and it is approved by the Department Head. This section applies regardless of whether or not the person is duly licensed by the State of Texas to carry a concealed handgun.

### 11.01 L DISCLOSURE OF INFORMATION

Disclosing information that could adversely affect any City property, business dealing, or any affair of the City, or using information gained while working in the City for the benefit of himself/herself or others at harm to the City, is prohibited.

### 11.01 M PERSONAL APPEARANCE

All employees, regardless of work location and degree of public contact, are expected to dress appropriately and in good taste in relation to their assigned job duties and are expected to maintain a good general appearance at all times.

## 11.02 SECONDARY EMPLOYMENT AND ACTIVITIES

### 11.02 A RESTRICTIONS

Employees shall not engage in any other employment during the hours they are scheduled to work for the City of Allen. Use of City facilities, equipment, supplies or time for engaging in secondary employment will result in disciplinary action up to and including termination.

An employee may not engage in any outside activity that will discredit the City or in which his/her employment with the City gives him/her an advantage over others engaged in a similar business or activity. An employee may also not be involved in any job or activity that is incompatible with the full and proper discharge of his/her duties and responsibilities with the City or that might negatively affect his/her independent judgment in the performance of those same duties and responsibilities.

### 11.02 B APPROVAL REQUIREMENTS

Employees shall notify in writing and receive written approval from their supervisor prior to accepting or engaging in secondary employment or

business activities. Employees seeking secondary employment within the City of Allen must receive approval from their Department Head and Human Resources prior to accepting the position.

The City of Allen reserves the right to deny a request for secondary employment or business activities if said employment or activity in any manner conflicts with City of Allen interests or public image or affects the employee's availability or performance at the City of Allen.

## 11.03 ABSENTEEISM

### 11.03 A PURPOSE

The City Administration recognizes that absenteeism and tardiness by City employees increases the workload of other employees and forces changes in the work schedules that damage our quality of work and customer service. Employees should work the hours scheduled for their position as a normal condition of their job.

Repeated unauthorized absences and/or instances of tardiness can be used as justification for disciplinary action up to and including termination.

### 11.03 B REPORTING AN ABSENCE BEFOREHAND

The employee must contact his/her immediate superior when an absence or tardiness is foreseen and unavoidable. Contact must be made within one half hour after the employee's regularly scheduled workday begins. At that time the employee should give the reason for the absence or tardiness and indicate when the employee will be returning to work. If this contact is not made, the employee's absence is considered to be unexcused.

### 11.03 C EXCUSED ABSENCES

1. An excused absence can be accounted for through the use of the employee's "personal day," vacation, or sick time if the absence is due to medical reasons. In certain cases an employee may also take FMLA leave.

2. Excused absences will be granted for the purposes of voting in local, state, and national elections and for jury duty without the use of vacation time if the employee follows the procedures described in section 9.06 Jury / Court Duty Leave.

3. If an employee has used all vacation, sick, and FMLA time due to injury or an extended illness and is still unable to return to work, the employee is considered to be unable to return to work. At this point

he/she may be subject to separation for incapacity as described in section 15.05 B.

4. If an employee has used all vacation time, and is not eligible to use sick or FMLA leave due to the non-medical nature of his/her absence, the employee will not be granted an excused absence.

5. For all excused absences, the supervisor is permitted to request proof of the need for the employee's absence if a problem with absenteeism is suspected.

**11.03 D UNEXCUSED ABSENCES**

Unexcused absences include, but are not limited to, the following:

1. Failure to report to work without timely notification.

2. Arriving to work after the employee's scheduled starting time or leaving work before the employee's scheduled ending time.

3. Unauthorized absence from work site.

4. Abuse of approved leave or failure to follow procedures for requesting or using leave.

5. Job abandonment, which is defined as unauthorized absence for two (2) consecutive working days.

**11.03 E ABSENCE PATTERNS**

When reviewing an employee's record for the purposes of determining an absenteeism problem, the employee's supervisor should consider the following factors in addition to the amount of time absent:

1. Absences on scheduled weekends, Friday, Saturday, Sunday, Monday, or all.
2. Absence the day before and/or the day after a scheduled holiday or day off (Holiday pay may be withheld in such cases).
3. Absence the day after payday.
4. Calling in sick as rapidly as sick time is accrued, especially if used one day at a time.
5. Coincidence of absence with desirable days off.
6. Unauthorized absences should be explained to the employee's supervisor as soon as possible, and should be supported by evidence. Such explanation does not guarantee that disciplinary

action will not be taken, but if the supervisor finds the explanation reasonable it may mitigate any disciplinary action taken.

### 11.03 F DISCIPLINARY ACTION

Unauthorized absences signal an absenteeism issue that makes the employee subject to disciplinary action in accordance with the City of Allen's disciplinary policy. The disciplinary actions taken will vary based upon the seriousness and frequency of absenteeism. If an absence constitutes job abandonment, the employee is considered to have effectively resigned their position without appeal rights**.**

## 11.04 HARASSMENT PREVENTION

### 11.04 A PURPOSE

It is the policy of the City of Allen to prohibit any form of sexual, racial, ethnic, disability, age, and religious harassment of employees or applicants. The City of Allen recognizes that the aforementioned forms of harassment are a violation of Federal and State laws. The City maintains a strict policy that harassment, whether sexual, ethnic, or religious in nature, or directed toward one's age or disability status, in the work place, is not acceptable and will not be tolerated. All employees, including directors, managers, supervisors, and representatives of the City, are expected to refrain from exhibiting any unwelcome behavior or displaying conduct toward any other employee which could be interpreted as harassment under this policy.

### 11.04 B DEFINITIONS

The definitions listed below are in accordance with the applicable guidelines adopted by the Equal Employment Opportunity Commission.

1. Sexual Harassment- Unwelcome sexual advances, requests for sexual favors, and other verbal (slurs, jokes) or physical conduct of a sexual nature constitute sexual harassment when:
    a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
    b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
    c. Such conduct has the purpose or effect of interfering with an individual's performance or creating an intimidating, hostile, or offensive working environment. Examples include, but are not limited to:
        1. Unwelcome sex-oriented verbal "kidding";

2. Unwelcome teasing or jokes;
3. Subtle pressure for sexual activity;
4. Physical contact such as patting, pinching or constant brushing against another's body; or
5. Demands or inference of sexual favors.

2. Ethnic/Racial Harassment- Ethnic or racial slurs or jokes, and other verbal or physical conduct relating to an individual's national origin or race, constitute harassment when this conduct:
    a. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or
    b. Has the purpose or effect of interfering with an individual's work performance.

3. Religious Harassment- Religious slurs or jokes, and other verbal or physical conduct relating to an individual's religious beliefs, constitute harassment when the conduct:
    a. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or
    b. Has the purpose or effect of interfering with an individual's work performance.
4. Disability Harassment- Slurs or jokes, or physical conduct directed towards an individual's disability status, may constitute harassment when the conduct:
    a. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or
    b. Has the purpose or effect of interfering with an individual's work performance.

*NOTE: Disability means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual, as such term is defined in the Americans with Disabilities Act, 42 USC 12102; a record of such an impairment; or being regarded as having such an impairment. This would include, but not be limited to, an individual with a loss of limb, visual impairment, mobile impairment (wheelchair bound, artificial limb, etc.), sight impairment (blindness), hearing impairment (deafness), medical conditions such as heart disease, epilepsy, muscular dystrophy, cancer, mental illness, alcoholism, HIV disease, and other physical and mental medical conditions which are protected by Federal law.*

5. Age Harassment- Slurs or jokes, and other verbal, non-verbal, or physical conduct directed toward an individual's age status, may constitute harassment when the conduct:

    a. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or

    b. Has the purpose or effect of interfering with an individual's work performance.

An individual's intentions and motives are not decisive factors in considering whether or not alleged harassment behavior has taken place. The effect of one employee's behavior upon another employee is the decisive factor. If an individual's behavior is considered to be offensive by another individual or if it has an intimidating effect upon another individual, sexual, racial, ethnic, religious harassment or harassment towards one's age or disability may be present.

## 11.04 C ADMINISTRATIVE PROCEDURES

Each supervisor is responsible for maintaining his/her work place free of sexual, racial, ethnic and religious harassment or harassment directed toward one's disability or age status. This duty includes discussing and enforcing this policy and procedure with all employees and assuring them that they are not required to endure insulting, degrading, or exploitative treatment.

Individuals who experience harassment shall make it clear that such behavior is offensive to them. Any employee who feels that he/ she has been the victim of sexual, racial, ethnic, or religious harassment or harassment relating to his/her disability or age should immediately report the facts of the incident or incidents and the names of the individuals involved to his/her supervisor and the Human Resources Director or designee. Should the immediate supervisor be the offending party, the employee must report the alleged act to the next level of management and the Human Resources Director or designee. All employees are encouraged to report any alleged infraction without fear of retaliation. Failure to report alleged infractions will result in discipline up to and including termination.

The Human Resources Director or designee and the manager/supervisor are mutually responsible for notifying each other when an allegation is reported. All allegations of harassment observed by or reported to a supervisor must be investigated immediately by the Human Resources Director or designee. All findings, decisions, and recommendations will be made on an individual basis considering the record as a whole on the totality of the circumstances, such as the nature of the behavior and the context in which the alleged incidents occurred. If harassment is found to exist, appropriate management and supervisory personnel shall take prompt corrective action. Anytime that

sexual harassment becomes an issue of an alleged act of sexual assault, the investigation must be coordinated with the City of Allen Police Department.

Appropriate disciplinary action will be taken when the findings warrant such action. Such disciplinary action should be determined by the nature of the wrongful act or acts and may result in immediate dismissal. The City recognizes that deliberate, false or frivolous accusations of harassment can also have serious effects on innocent men and women, their reputation, and their families; therefore, false accusations will result in severe disciplinary action up to and including termination.

# CHAPTER TWELVE
## COUNSELING/DISCIPLINE

### 12.01 COUNSELING

**Supervisors should meet PRIVATELY with employees to discuss performance or behavioral problems when they first arise**. A counseling session with an employee will not require the supervisor to place any written disciplinary action into an employee's personnel file. However, the supervisor should maintain notes of the meeting held with the employee. *This is a pre- or non- disciplinary action.*

### 12.02 DISCIPLINARY ACTION

#### 12.02 A ACCELERATION OF DISCIPLINARY ACTION

Nothing in this policy shall be construed to limit the City of Allen's authority to administer any form of disciplinary action at any time as necessary.

#### 12.02 B TYPES OF DISCIPLINARY ACTION

Depending on the circumstances of each case, disciplinary action shall be administered progressively and shall include, in order of severity:

1. Oral Warning
2. Written Warning
3. Suspension
4. Involuntary Demotion
5. Discharge

#### 12.02 C ORAL WARNING

An oral warning is a conference, discussion, talk or any other form of oral communication between a supervisor and employee in which the intent is to correct behavior.

### 12.02 D WRITTEN WARNING

The written warning shall be used to document, in writing to the employee, the unsatisfactory job performance or conduct that has been demonstrated by the employee. Written notice gives the employee a set period of time in which to demonstrate improvement in job performance or conduct. Written warnings must be transmitted to Human Resources for placement in the employee's personnel file.

### 12.02 E SUSPENSION

Suspension is time off work without pay given to an employee as a disciplinary action. For any one occurrence, a suspension may not exceed fifteen (15) working days without prior approval of the Human Resources Director or designee.

### 12.02 F ADMINISTRATIVE LEAVE

For purposes of conducting an investigation of an allegation, the Human Resources Director may place an employee on administrative leave with or without pay.

### 12.02 G ABANDONMENT OF JOB

Abandonment of job consists of absences for two or more consecutive working days without prior authorized leave. Employees terminated for abandonment of job do not require written notice of the termination or opportunity to respond and are not eligible to file a complaint or grievance.

### 12.02 H INVOLUNTARY DEMOTION

Involuntary demotion should only be considered as an appropriate form of disciplinary action when the employee's job performance or conduct is unsatisfactory in the current position held and it is determined that the employee should be retained in a lower pay range.

### 12.02 I INVESTIGATION OF ALLEGATIONS

The City reserves the right to place an employee on administrative leave pending the completion of an administrative investigation of the allegations against them.

## 12.02 J REMOVAL OF DISCIPLINARY ACTIONS

Disciplinary actions will become void 24 months after their issuance; however, actions involving harassment, inappropriate conduct, and other serious violations will not be voided 24 months after their issuance. Employees may request the removal of "voided" disciplinary documents from their City personnel file.

# CHAPTER THIRTEEN
## ARREST OF AN EMPLOYEE

### 13.01 ARREST OF AN EMPLOYEE

#### 13.01 A PURPOSE

It is the purpose of this policy to establish procedures to be followed in cases where a City of Allen employee has been arrested or charged with criminal offenses.

#### 13.01 B PROCEDURE

In case of the arrest of a City of Allen employee, their employment status will be reviewed on a case by case basis with the following criteria, no one of which will be weighted in any particular order:

1. Severity of offense;
2. Effect on workplace;
3. Ability to continue workplace obligations;
4. Ability to come to work;
5. Affect on any licensing or certification;
6. Repeated criminal activity;
7. Security of other employees;
8. Disruption of the workplace; and
9. Supervision of other employees.

The City of Allen may also remove an employee from the workplace on an interim basis, pending the final disposition of their case. However, any initial determination of employment status may be altered depending on factors such as length of time prior to final disposition of case and business necessity.

# CHAPTER FOURTEEN
## SEPARATION OF EMPLOYMENT

### 14.01 SEPARATION OF EMPLOYMENT

Separation of employment is an involuntary employment termination from the City of Allen. When separation occurs, a meeting will be conducted between the employee, the Department Head and a representative from Human Resources to discuss the reason behind the separation, with the exception of job abandonment.

All disciplinary action involving discharge or suspension requires advance notice to the Human Resources Director. Should it be determined that discharge is the appropriate action, the employee should be issued a memorandum or letter and notified of the disciplinary action being taken and the applicable personnel policies involved in the decision. Additionally, the employee shall be advised that he/she may appeal the decision in accordance with the City of Allen's appeal procedure under Section 17.02.

### 14.02 RESIGNATIONS

#### 14.02 A RESIGNATION DEFINED

Resignation is notice to a supervisor of an employee's intention to end his/her employment relationship with the City of Allen.

#### 14.02 B RESIGNATION PROCEDURE

Notice of resignation should be provided in writing to the employee's Department Head or designee, preferably at least two (2) weeks in advance of the effective date. In the notice the employee will state the last day/shift/hour to be worked. In instances where only an oral resignation is tendered, the supervisor shall document this fact in writing stating the date when the oral resignation was accepted. No reasoning need be given supporting the decision to resign. The supervisor will forward the resignation and termination packet to Human Resources.

Failure to report to work as per the employee's normal work schedule or give proper notice as to an absence over the two- week period prior to the resignation date will be considered an unexcused absence, and may constitute job abandonment.

## 14.02 C RESIGNATION AND DISCIPLINARY ACTION

A resignation tendered after the employee has been notified that he/she is or will be the subject of disciplinary action or investigation will not be accepted without consulting with the Human Resources Department and/or the City Attorney. If the resignation is accepted, the employee will be considered to have forfeited their right to respond to and/or appeal the disciplinary action. If the resignation is not accepted, the employee reserves the right of response and appeal.

If the employee renders his/her resignation and is notified at that time or afterwards of pending disciplinary action or investigation the employee may reserve the right to respond to and/or appeal the disciplinary action.

## 14.02 D REVOCATION OF RESIGNATIONS

Unless the employee, their Department Head, and the Human Resources Director agree, a resignation will be considered irrevocable. A resignation cannot be revoked after the employee's written resignation date.

## 14.02 E RE-EMPLOYMENT

Former employees not eligible for reinstatement will be considered in the same manner as members of the general public and will not be eligible for restoration of service or leave credit.

# CHAPTER FIFTEEN
## NONDISCIPLINARY SEPARATION

### 15.01 INCAPACITY

#### 15.01 A DEFINED

An employee may be separated for incapacity for medical reasons when the employee no longer meets the standards of fitness required for the position with or without reasonable accommodation from the City.

#### 15.01 B CITY MEDICAL REPRESENTATIVE

The final medical decision regarding incapacity will be made by the City's designated medical representative whose decision will be final.

#### 15.01 C NONDISCIPLINARY ACTION

Separation for incapacity will not be considered disciplinary action and will not cause denial of any benefits for which the employee would be otherwise entitled.

### 15.02 RETIREMENT

Eligible employees may be separated by retirement in accordance with applicable programs.

### 15.03 CONTINUATION OF BENEFITS UPON RETIREMENT

#### 15.03 A RETIREE COVERAGE

Regular full-time employees, who are eligible for retirement under the City’s retirement system and in accordance with the City’s applicable programs, may continue health insurance and prescription coverage upon retirement until they become eligible for Medicare coverage. If at a later date, the retired employee elects to discontinue coverage, the retiree is no longer eligible for coverage under the City’s health care plan.

### 15.03 B DEPENDENT COVERAGE

Retired employees may elect to continue coverage for eligible dependents that were covered under the City's group health insurance plan at the time the employee retired. If a retired employee elects subsequently to discontinue coverage for a dependent, the dependent is no longer eligible to receive health care benefits under the City's health plan.

### 15.03 C COVERAGE BY OTHER EMPLOYERS

A retired employee who is eligible for health care benefits coverage from another employer is not eligible to continue coverage under the City's health plan.

### 15.03 D RETIREE HEALTHCARE PREMIUM RATES

Regular full-time employees that retire under the City's retirement system on or before December 31, 2012 and that are eligible to elect healthcare coverage on the City of Allen employer sponsored plan will be "grandfathered" and required to pay premiums equal to COBRA rates of the given plan year in order to maintain coverage.

Regular full-time employees that retire under the City's retirement system on or after January 1, 2013 and that are eligible to elect healthcare coverage on the City of Allen employer sponsored plan will be required to pay premiums that are distinct actuarial calculations based on projected retiree claims experience of the given plan year in order to maintain coverage.

### 15.03 E NOTIFICATION TO CITY

Retiring employees must provide written notification of retirement at least 45 days prior to the date the employee intends to retire. This additional notice is necessary to enable City staff to provide the appropriate retirement plan paperwork and to counsel retiring employees regarding their eligibility for retirement benefits.

### 15.03 F NOTIFICATION TO CITY

Retiring employees must provide written notification of retirement at least 45 days prior to the date the employee intends to retire. This additional notice is necessary to enable City staff to provide the appropriate retirement plan paperwork and to counsel retiring employees regarding their eligibility for retirement benefits.

## 15.04 REDUCTION IN FORCE

### 15.04 A BASIS FOR REDUCTION IN FORCE

The City of Allen reserves the right to reduce the number of employees.

### 15.04 B RETENTION DURING A REDUCTION IN FORCE

The initial consideration in a reduction in force shall be to maintain a level of service necessary to operate the City of Allen. After insuring the above, retention preferences may consider the following:

1. Prior written performance appraisals and current performance
2. Seniority

### 15.04 C NOTICE OF REDUCTION OF FORCE

Whenever possible, employees impacted by a reduction in force shall be given at least two (2) weeks' notice of the imminent loss of their job.

### 15.04 D REORGANIZATION

Policies and procedures of this manual may be suspended during a departmental reorganization with the approval of the City Council.

## 15.05 REINSTATEMENT

### 15.05 A BASIS FOR REINSTATEMENT

Decisions to offer reinstatement to an employee will be made primarily on whether the reinstatement serves the best interests of the City of Allen.

### 15.05 B SEPARATION FOR INCAPACITY

Employees who resign or were separated for incapacity may be reinstated in the same or similar position within six months following the separation. Employees reinstated must be able to perform the duties of the position and successfully pass all medical/physical requirements for the position.

### 15.05 C SEPARATION DUE TO REDUCTION IN FORCE

Employees who were separated due to a reduction in force may be recalled to return to work within six months from their separation provided the person is

able to perform the duties of the position and successfully pass all medical/physical requirements for the position.

### 15.05 D VETERANS

Employees who leave the City's service to enter active duty with the Armed Forces of the United States are eligible for reinstatement in accordance with applicable State and Federal legislation.

### 15.05 E RESTORATION OF SERVICE AND LEAVE CREDIT

Unless otherwise provided by policy, reinstated employees shall receive restored seniority or any leave credits for which they did not receive payment at the time of separation, if they are restored to their position within six months of their separation of their employment with the City.

# CHAPTER SIXTEEN
## DRUG-FREE WORKPLACE

### 16.01 PURPOSE

The City Administration recognizes that drug-free, healthy employees are essential to having a productive, service-oriented work force. Additionally, it is recognized that happiness, mental health, and a stable family unit, is consistent with non-drug use. To that end, Administration seeks to prevent drug use/abuse during employment with the City of Allen. This policy is designed to eliminate drug and alcohol abuse and its effects in the workplace. A second and equally important issue is the responsibility of government to the taxpayers and citizens of Allen to ensure that there is not deterioration of trust in public employees. While it is recognized that the consequences of drug abuse are guided by the individual job classification, this policy serves as an umbrella for all departments.

Drug and/or alcohol testing will be conducted based on reasonable suspicion, following accidents, prior to employment and randomly for certain employees. The purpose for drug and alcohol testing is to promote a ***DRUG-FREE WORK ENVIRONMENT*** and to protect the employee who might be impaired by the use of a controlled substance, his/her fellow employees, and the general public, from harm or injury.

The use of alcoholic beverages as authorized by the City Manager at City-sponsored social functions shall be permitted if such social functions do not occur in the workplace, on City property, in any City facility during working hours, in a City uniform, or in a City vehicle. Employees are not allowed to purchase or consume alcoholic beverages while in uniform at any time.

### 16.02 DEFINITIONS

In order to maintain a drug-free workplace, an employee may not manufacture, distribute, dispense, possess, use or be under the influence of the following substances or drug paraphernalia in the workplace, during working hours, otherwise discharging duties as an employee, or in a City vehicle:

1. Illegal drugs, controlled substances, or controlled substances analogues as used in this policy is defined by Texas Health and Safety Code, as amended Section 481.002 (5) and (6). Marijuana and abusable glues and aerosol paints (inhalants) as defined in Vernon's Texas Codes Annotated Health and Safety Code, as amended Section 485.001.
2. Alcoholic beverages means alcohol or any beverage containing more than one-half of one percent of alcohol by volume alone or when diluted.

3. Drug paraphernalia means equipment, a product or material of any kind as defined in the Texas Health and Safety Code, Section 481.002 (17).

***Under the influence of illicit drugs*** shall mean having present in the body or urine a quantity of an illicit drug sufficient to register a positive result on the drug screen utilized by the City, the testing parameters of which are set forth as follows:

***CUT-OFF LEVELS***
***Blood/Urine***

| Substance | | Breath |
|---|---|---|
| a) | Cannabinoids (Marijuana) | 50 NG/ML |
| b) | Amphetamines | 1000 NG/ML |
| c) | Cocaine | 300 NG/ML |
| d) | Opiates | 2000 NG/ML |
| e) | Phencyclidine (PCP) | 25 NG/ML |
| f) | Barbiturates | 300 NG/ML |
| g) | Benzodiazepines | 300 NG/ML |
| h) | Propoxphene | 300 NG/ML |
| i) | Methadone | 300 NG/ML |
| j) | Methaquale | 300 NG/ML |

***Under the influence of alcoholic beverages*** is defined as follows:

a. Not having the normal use of mental or physical faculties by reason of the introduction of alcohol into the body; or

b. Having an alcohol concentration equal to or greater than 0.04 grams of alcohol per 100 milliliters of blood; or

c. Having an alcohol concentration equal to or greater than 0.04 grams of alcohol per 210 liters of breath.

## 16.03 TRAINING

### 16.03 A EMPLOYEES

In an effort to promote this policy, managers will make their employees available for training regarding substance abuse prevention. Employees will be required to attend training, read and discuss the City of Allen's written Substance Abuse Policy or educational materials regarding substance abuse. Employees shall be required to sign a statement that they have read and understand the City of Allen's written policy on substance abuse. Employees and their family members will receive periodic brochures and information about preventing substance abuse in their family. This may include payroll stuffers, brochures mailed directly

to the employees' homes, and information about the prevention activities available in their community.

### 16.03 B MANAGERS

Managers (mid-level and Department Heads) will receive training and information, which will assist them in determining the presence of substance abuse, including, but not limited to:

1. Attendance at work;
2. Absences—leaving early from work, arriving late at their work site;
3. Completion of assigned work;
4. Use of sick leave;
5. Punctuality in work and frequency of leaving work early or tendency to "disappear" for periods during the day;
6. Excessive use of health claims;
7. Use of disability payments; and
8. Availability and willingness to perform work in an overtime status (if applicable).

## 16.04 TESTING

To insure compliance with the rules of this Substance Abuse Policy, the City may require that an employee or job applicant submit to a blood, urine and/or breathalyzer test to detect the presence of illegal drugs or alcohol and as a condition of employment or continued employment under the following circumstances:

1. Prior to employment with the City of Allen, all persons shall be required to submit to a drug urine test as a part of the pre-screening process. An unconditional job offer is extended when results are negative for the presence of drugs at levels defined by Chapter 49 of the Texas Penal Code.
2. All employees who have sustained an injury or who are involved in an accident while on duty, shall be required to submit to a drug and alcohol urine test in the following situations:
    a. When an employee sustains a job injury which reasonably may require medical attention.
    b. When an employee is involved in an accident in which safety regulations, orders or protocol are violated or which results in damage to equipment or property.

c. When an employee is involved in any vehicle accident.

Drug testing shall not be required if an employee sustains an injury due to the intentional conduct or deliberate acts of another individual or the employee is bitten or attacked by an animal.

3. All employees shall be required to submit to drug and alcohol testing via blood, urine and/or breath alcohol tests if one of their supervisors has a reasonable suspicion. This suspicion must be based on specific, observable facts that the employee is in violation of the rules of this policy or any other disciplinary rule of the City of Allen relating to drug or alcohol use. The Human Resources Director or designee must approve any drug and alcohol test ordered under reasonable suspicion. Reasonable suspicion may be based on, but is not limited to, the following criteria:

   a. Direct observation of drug or alcohol use or possession; or

   b. Physical symptoms of being under the influence of a drug or alcohol such as smell of alcohol, poor coordination or reflexes, significant confusion, disorientation, glassy or blood shot eyes and slurred speech; or

   c. A pattern of abnormal or erratic behavior, including on the job accidents; or

   d. Any arrest or conviction for a drug or alcohol related offense or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use or trafficking; or

   e. Information provided by reliable and credible sources or information which is independently corroborated; or

   f. Any evidence that an employee has tampered with a previous drug and/or alcohol test.

4. All employees who have been promoted within their division or promoted to another department shall be required to submit to a routine physical examinations as a condition of the promotion if the position requires the physical examination.

5. Random testing will be directed by the Human Resources Director or designee. If random testing occurs, it will be done consistently and methodically without preference and partiality based on a random selection method developed by the Human Resources Department that insures impartiality. All appropriate employees will be included in the random testing program. All drug testing will be done in a manner that will minimize inconvenience to employees, while maximizing its accuracy. Random sample selection (employees and dates for test) will

be done with a computer program for statistical random validity monitored by the Human Resources Department.

6. All employees who are subject to United States Department of Transportation rules regarding safety sensitive positions shall be subject to a breath test for alcohol and urine test for the presence of illicit drugs at detectable limits established by the Department of Transportation. Such employees may be subject to the following types of tests pursuant to the Department of Transportation rules: pre- employment tests, post-accident tests, random tests, and reasonable suspicion tests, return to duty tests and follow-up tests.

Refusal to be tested in any of the aforementioned circumstances may result in non-selection for an applicant or discipline up to and including termination.

The City of Allen reserves the option to substitute a blood or urine test with a breath alcohol test performed by local law enforcement officials or appropriately trained medical personnel.

## 16.05 NOTIFICATION

Pursuant to the Drug-Free Workplace Act, the City of Allen requires employees to notify his/her supervisor of any criminal State or Federal drug statute conviction for a violation occurring in the workplace by the employee no later than five days after the conviction.

## 16.06 OVER-THE-COUNTER/ PRESCRIPTION DRUGS

The City of Allen reserves the right at all times to determine the effect(s) that a prescribed drug may have upon an employee's work performance and to restrict the employee's work activity or presence at the work place accordingly. The City also reserves the right to have a physician of its own choice determine if the medication at the prescribed dosage produces hazardous effects, and may restrict the employee's work activity or whether such use is for a non-therapeutic purpose.

It is the employee's responsibility to inform the Human Resources Department when he/she is taking an over-the-counter or prescription medication the label of which cautions against driving or operating heavy machinery or which produces adverse reaction that could affect driving or operating heavy machinery. In this instance, employees will temporarily be removed from driving or operation of heavy equipment status unless the prescribing physician specifically permits driving. Failure to notify Human Resources may result in discipline up to and including termination.

## 16.07 REHABILITATION

The City of Allen encourages employees and dependents to seek early voluntary treatment for substance abuse problems through the City's Employee Assistance Program (EAP), which provides counseling and referral services. However, those who are discovered by drug testing, being intoxicated or having a detectable amount of alcohol in their system or being in possession of controlled substances or alcoholic beverages while on duty, are subject to discipline and will be held to the full intent of this substance abuse policy and the law, when it exceeds this policy.

## 16.08 FOLLOW-UP

An employee who voluntarily entered a drug or alcohol rehabilitation program, including EAP, approved by the City Manager, may be required to submit to additional drug tests at any time for up to 60 months after successfully completing a drug or alcohol rehabilitation program. If an employee who voluntarily entered an approved drug or alcohol rehabilitation program subsequently tests positive for illicit drugs, he/she will be subject to immediate discipline up to and including termination.

## 16.09 CONFIDENTIALITY

Laboratory reports or test results shall be maintained in the Human Resources Department in a confidential medical file separate from the employee's official Personnel files. The reports or test results may be disclosed to City management strictly on a need-to-know basis and to the tested employee or applicant upon request. Disclosures, without patient consent, may also occur when:

a. The information is compelled by law or by judicial or administrative process;

b. The information has been placed at issue in a formal dispute between the employer and employee;

c. The information is to be used in administering an employee benefit plan;

d. The information is needed by medical personnel for the diagnosis or treatment of the patient who is unable to authorize disclosure.

## 16.10 REFUSAL

Refusal to submit to drug and alcohol testing when required by the City of Allen will result in automatic termination of an employee from employment or rejection of a job applicant. Under the provisions of this policy for purposes of

investigations, all employees of the City of Allen are required to sign the "Notice of Administrative Inquiry."

## 16.11 POSITIVE RESULTS

Termination of an employee or automatic rejection of a job applicant will also occur if the employee or job applicant submits a urine, blood or breath sample which tests positive for the presence of controlled substances. All breath samples with an alcohol concentration of 0.04% or greater are grounds for termination. An alcohol concentration of 0.02% or greater, but less than 0.04%, may be subject to disciplinary actions up to and including termination. ***For the purposes of this policy, based on a breath sample showing a concentration of 0.02% or higher, the City may also derive an employee's blood alcohol level back to their arrival time at work.*** If an employee is subject to United States Department of Transportation rules regarding safety sensitive positions, those rules will take precedence over the rules in this policy pertaining to drug and alcohol testing and detectable limits. However, administrative disciplinary actions, if necessary, will occur under the full extent of this Substance Abuse Policy.

It shall be an affirmative defense under this policy that the employee or job applicant has a valid prescription from a licensed medical practitioner for the positively tested, controlled substance, or has ingested an over-the-counter medication administered in accordance with the manufacturer's instructions. The controlled substance taken from a therapeutic purpose prescription must be taken in the prescribed dosage by the employee or job applicant and shall be prescribed for the employee or job applicant who tests positive. The burden of proving such defense as provided herein shall rest on the employee or job applicant.

All employees who are terminated for testing positive for illicit drugs or alcohol, tampering with a urine or blood sample or refusing to take a drug test shall be ineligible for rehire with the City of Allen, unless such rehire is required by law.

# CHAPTER SEVENTEEN
## GRIEVANCE AND APPEAL PROCEDURE

### 17.01 GRIEVANCE PROCEDURE

#### 17.01 A PURPOSE

It is the desire of the City of Allen that there exist a fair, equitable, and timely procedure for employees to resolve any grievance that they may have without fear of retaliation or harassment. It is also the desire of the City that this policy have the additional effect of encouraging free and open communication between employees and their supervisors in order to prevent circumstances that could cause grievances to occur.

#### 17.01 B DEFINED

A grievance is defined as an employee's expressed feeling of dissatisfaction concerning conditions of employment or treatment by supervisors or other employees including, but not limited to, alleged discrimination based on race, color, religion, sex, age, national origin, sexual orientation or disability status.

#### 17.01 C GENERAL PROVISIONS

1. Grievances can only be initiated by the employee concerned, and not by another person on the employee's behalf.

2. Repeated filings of a grievance that have been previously ruled upon will not be considered.

3. The employee initiating the grievance may ask for assistance from the Human Resources Department.

4. Supervisors or Department Heads are encouraged to ask the Human Resources Director about the proper interpretation of a City policy or procedure at any time.

5. Although this procedure is designed for individual employee usage, a group of employees can combine their grievances if they have been filed on similar matters. In this situation, a decision made on the combined grievances shall be binding on all similar grievances and a copy of the final reply will be given to all complainants.

6. When the same issues that are being appealed or grieved are the subject of federal or state litigation or a charge filed with the Equal Employment Opportunity Commission or the Texas Commission on Human Rights, the investigator has the discretion to postpone the hearing until the court or agency determines the issues.

7. The ability to file a grievance ends if the employee terminates employment with the city.

## 17.01 D ACTIONS ADDRESSED AS A GRIEVANCE

Actions addressed under the grievance procedure include, but are not limited to, the following:

1. Adverse effect of a misinterpretation or misapplication of a written policy, rule or regulation.

2. Unfair or discriminatory application of supervisory policies.

3. Alleged acts of coercion, reprisal, intimidation or retaliation.

4. Written disciplinary action not covered by the appeal procedure.

## 17.01 E TIME LIMITS

As it is in all parties' best interest to resolve the issue as rapidly as possible, all time limits noted are considered mandatory. However, time limits may be expanded for legitimate reasons by mutual agreement between the employee and management. This agreement must be made in writing and a copy given to the Human Resources Director. No extension shall last more than ten (10) days and there should be a maximum of one extension per step. Days are considered to be working days; i.e. not weekends or holidays recognized by the City's leave policy. Failure to comply with the time limits by the employee, except in cases due to circumstances beyond the employee's control, shall result in termination of the grievance proceedings. Upon such a termination, the previous decision rendered will be non-appealable. If a supervisor does not comply with the time limits, the employee is entitled to take their grievance to the next higher level of authority. A supervisor who does not comply with the time limits is subject to disciplinary action, except in cases due to circumstances beyond the supervisor's control.

All meetings shall take place during work hours with no corresponding loss of leave time for the employee, assuming that the privilege is not abused. Preparing

written reports on the grievance is not permitted by the aggrieved employee during work hours.

### 17.01 F EXCLUDED FROM THIS PROCEDURE

The following actions are excluded from this procedure:

1. Termination
2. Involuntary Demotion
3. Suspension
4. Job Abandonment
5. Harassment (as prescribed by Section 11.04 C Administrative Procedures)

### 17.01 G FILING A GRIEVANCE

#### STEP 1 Supervisor Review

a. The employee must meet with his/her supervisor within 10 days of the action causing grievance, or from the first time that the employee could have become knowledgeable about the action. If the supervisor is the cause of the grievance the employee may meet with the next higher level of management.

b. The supervisor may resolve the issue as soon as possible or within 5 days.

c. If the grievance is not resolved after discussion with the employee's supervisor, or the employee finds the supervisor's response to be unacceptable, the employee has 5 days to advise the supervisor he wishes to pursue the grievance under **STEP 2**.

#### STEP 2 Upper Management Review

a. The employee must present a written statement detailing the grievance, the facts upon which it is based, an allegation of a specific wrongful act and harm done, and a suggestion for resolution of the grievance to his/her Department Head within 10 days of the action causing grievance, or from the first time that the employee could have become knowledgeable about the action.

b. The Department Head, the employee's immediate supervisor, and other appropriate intermediate department managers will meet with the aggrieved employee within 10 days of the presentation of the written grievance.

c. Management renders a decision in writing to the employee within 10 days of the meeting. A copy of the decision must be given to the Human Resources Director.

d. If the grievance is not resolved in Step 2, the employee has 5 days to request action under **STEP 3**.

A grievance against a member of a department other than the aggrieved employee's will start the process at **STEP 2**.

**STEP 3 Appeals To The City Manager**

The City Manager will receive written documentation of the grievance and of the actions at each step that failed to resolve the issue. After review of the documents, the City Manager shall issue a binding and non-appealable decision.

**17.01 H RECORD OF GRIEVANCE**

All official records of an employee's grievance shall be maintained in the employee's personnel file according to the City's record retention schedule.

**17.01 I REPRISAL FOR SUBMISSION OF A GRIEVANCE**

a. Under no circumstances shall an employee be penalized, harassed or suffer reprisal for using the grievance procedure.

b. If an employee feels that he/she has been a victim of the above actions as a result of filing a grievance or participating or assisting in the investigation of a grievance, the employee may file a grievance of retaliation.

c. Any City employee found to have purposefully hindered or attempted to hinder grievance proceedings or to have retaliated in any way against an employee involved in grievance proceedings will face disciplinary action up to and including termination.

### 17.01 J CONFIDENTIALITY

Any breach of confidentiality by any employee during a grievance procedure shall be considered to be insubordination and shall be grounds for disciplinary action as prescribed in Chapter 11.

## 17.02 APPEAL PROCEDURE

### 17.02 A DEFINED

An appeal is an employee's formal written appeal of any determination to:

1. Terminate (job abandonment excluded)
2. Involuntary Demote
3. Suspend

### 17.02 B GENERAL PROVISIONS

1. With the exception of job abandonment, no employee can be terminated, suspended, or demoted without the right of response and appeal to the City Manager. This administrative process is the exclusive remedy to dispute the just cause of the aforementioned actions. There is no right to appeal the final administrative decision to any court based upon a claim of insufficient cause or breach of contract.

2. Failure of an employee to fully utilize and exhaust the appeal process shall be deemed a waiver of any response and appeal rights granted under this section. If the right to a hearing is waived by the employee, the appeal may be dismissed or a decision on a disciplinary action involving the employee may be made by the employee's supervisor, Department Head, the City Manager, or designee.

3. Repeated filings of an appeal that have been previously denied will not be considered.

4. All appeals must be made in writing, and all decisions rendered will be given in writing to the employee.

## 17.02 C TIME LIMITS

The time limits specified herein regarding an employee's actions are mandatory and jurisdictional. Failure to comply with the time limits by the employee shall result in termination of the appeal proceedings except in cases due to circumstances beyond the employee's control. An appeal not responded to within the prescribed time limit by a supervisor or other appropriate representative at each step shall be considered a violation of this section and justifies disciplinary action against the representative, except when the delay was a result from circumstances beyond the representative's control. Time limits may be extended or shortened if agreed to in writing by all parties. A delay by the City representative will not void the appeal.

## 17.02 D INELIGIBLE EMPLOYEES

Probationary and temporary employees are ineligible to use the appeal procedure.

## 17.02 E FILING AN APPEAL

### STEP 1 Appeal Filed With City Manager

All written appeals must be filed with the City Manager's Office within ten (10) working days of notification of disciplinary action.

### STEP 2 Appeal Hearing

a. The City Manager will hear the appeal within 15 working days after the appeal is filed.

b. The City Manager will establish such rules of evidence and procedure as are appropriate for the circumstances of the appeal.

c. The decision will be rendered within 15 days of the appeal.

## 17.02 F PRIVATE HEARINGS

All appeals are private and are closed to the public. Only principals, legal counsel, the City Manager, and staff designated by the City Manager shall be allowed to attend the hearing. For purposes of the hearing, principals will be defined as appellant and his/her representative, City of Allen management representative taking the appealable action and his/her representative.

Witnesses may not be present except while presenting their testimony.

**17.02 G RESPONSE**

If the disciplinary action is dismissed, the employee will immediately be returned to his/her state of employment that existed prior to the disciplinary action.

**17.02 H RECORD OF APPEAL**

All official records of an employee's appeal shall be maintained in the employee's personnel file according to the City's record retention schedule.

**17.02 I REPRISAL FOR SUBMISSION OF AN APPEAL**

a. Under no circumstances shall an employee be penalized, harassed or suffer reprisal for using the appeal procedure.

b. If an employee feels that he/she has been a victim of the above actions as a result of filing an appeal or participating or assisting in the investigation of an appeal, the employee may file a grievance of retaliation.

c. Any City employee found to have purposefully hindered or attempted to hinder appeal proceedings or to have retaliated in any way against an employee involved in appeal proceedings will face disciplinary action up to and including dismissal.

**17.01 J CONFIDENTIALITY**

Any breach of confidentiality by any employee during an appeals procedure shall be considered to be insubordination and shall be grounds for disciplinary action as under Chapter 11.

# CITY OF ALLEN
## Employee Grievance Form

The completion of this form indicates that you wish to pursue a grievance to the second level of the appeal procedure, namely review by upper management. This step may only be taken after the initial discussion with your supervisor (or with your supervisor's manager if your supervisor is involved in your grievance). Upon completion, this form is to be submitted in person to the City of Allen Human Resources Department.

**Grievant's name:**_____ **Telephone:**_____
**Position:**_____
**Department:**_____
**Supervisor:**_____
**Date Grievance was discussed with Supervisor (Step One):**_____

**Employee's Statement** – Please provide a comprehensive description of the facts surrounding the work-related problem or condition of employment that you believe to be unfair, inequitable, or a hindrance to your job performance. Please attach additional pages if necessary.

I certify that the information contained on this form is a true reflection of the events that led to the grievance in question.

_____ _____
Signature Date

# CHAPTER EIGHTEEN
## SAFETY

### 18.01 WORKERS' COMPENSATION

#### 18.01 A INJURY ON THE JOB

An employee injured in the line of duty will be eligible for workers' compensation according to established State law.

### 18.02 SUPPLEMENTAL SALARY PAYMENTS

#### 18.02 A SUPPLEMENTAL SALARY PAYMENTS DEFINED

Supplemental salary payments are payments made to an eligible employee authorized to be off duty as a result of an on-the-job injury in order to make up the difference between workers' compensation payments and the employee's normal rate of pay. In no case will the total amount paid to an injured employee during the time absent from work, including any combination of workers' compensation benefits and supplemental salary payments exceed the full pay which the employee would have received for such period at his/her regular hours and current rate of pay.

#### 18.02 B ELIGIBILITY

Only regular, full-time employees who have been employed over one year are eligible for supplemental salary. An employee cannot be eligible for Supplemental Salary Payments for a re-injury or an additional injury until the employee has had continuous work service of six (6) months since the end of the last period of Supplemental Salary Payments.

#### 18.02 C DURATION

At the discretion of the Human Resources Director and/or the Department Head, payments may continue for one year after the date the employee is first unable to work. Payments will cease prior to one year when it is certified by the employee's treating physician or an independent physician that the employee is able to return to normal duty.

## 18.02 D USE OF VACATION, SICK LEAVE AND LEAVE WITHOUT PAY

If the employee is denied, refused, or exhausted supplementary salary payments while receiving workers' compensation benefits, the employee is eligible to take vacation or sick leave in the amount necessary to make up the difference between the workers' compensation benefits and the employee's normal rate of pay. If the employee has exhausted vacation, sick leave, and the supplementary salary payments while receiving workers' compensation benefits, the employee may be granted leave without pay.

## 18.02 E SUSPENSION OF PAYMENTS

Supplemental salary payments will be suspended or initially denied if an employee fails to comply with City policy and directions. Specific grounds for suspension or denial are:

a. If the employee is awaiting a final injury chargeability decision;
b. If the employee fails to report an injury in compliance with City policy [as outlined in Administrative Directive FIN-6, Section E, 1];
c. If the employee suffers an injury due to his/her own gross negligence or the breaking of any rule, regulation, or law;
d. If the employee submits a claim that is denied by the City's workers compensation carrier;
e. If the employee engages in any kind of part-time or volunteer work while receiving supplemental salary;
f. If the employee fails to act in a manner consistent with being off work convalescing;
g. If the employee fails to comply with the directions of his/her treating physician;
h. If the employee refuses to submit to an independent medical examination in accordance with the Texas Workers' Compensation Statutes;
i. If the employee refuses to accept any modified or light duty work that is deemed within the employee's capability in the opinion of the employee's treating physician, and that is consistent with the employee's training and/or abilities;
j. If the employee refuses to return to active duty after being released by his/her treating physician;

k. If the employee refuses to cooperate with the City in ascertaining facts and information surrounding the cause, nature, and day-to-day status of the employee's injury;

l. If the employee refuses to keep his/her immediate supervisor informed each week as to the status of the injury while on supplemental salary;

m. If the employee refuses a post-accident drug or alcohol test;

n. If the employee's Worker Compensation indemnity payments are stopped;

o. If the employee is terminated; or

p. If the employee chooses to go to a doctor that is not recommended by the City.

### 18.02 F PAYMENT SUSPENSION APPEAL

Denial or suspension of payments as a result of employee violation of City policy or direction is not appealable or subject to a formal complaint.

## 18.03 ALTERNATE DUTY

### 18.03 A PURPOSE

The City of Allen believes that it is both in the City's and employees' best interest for them to return to work after an injury in some capacity consistent with their knowledge and skills so long as their tasks do not hinder the employee's recovery. Alternate duty is defined as the temporary appointment of an employee of one assignment to a different assignment as a response to a work- related injury or temporary disability that prevents an employee from performing the essential duties of their own jobs. Alternate duty does not include assignments restricted by the physician within the employee's present job. Alternate duty also does not include permanent accommodation arrangements which, if reasonable, will be made to enable employees with disabilities to perform the essential functions of their jobs as provided by the Americans with Disabilities Act (ADA) of 1990. As per the Pregnancy Discrimination Act of 1978, pregnancy is also treated as a temporary disability and alternate duty may be assigned if the pregnant employee is unable to fulfill her normal job functions.

### 18.03 B QUALIFICATIONS

1. There must be a need within the City (not necessarily in the employee's original department) that the recovering employee could potentially fill.

2. Employees on workers' compensation have first priority for alternate

duty assignments over off duty injuries and pregnancy.

3. The employee must be qualified for and able to perform the essential functions of the alternate duty position, with or without accommodation. No assignment may be made to Alternate Duty without the approval of the applicable Department Head(s) and the Risk Manager and without the employee providing the Department Head and Risk Manager the following information:

    a. A written statement from the treating physician detailing restrictions on the employee's activities;

    b. The period of time which the employee will be subject to the restrictions;

    c. The expected date that the employee may start an alternate duty assignment, and the expected date that the employee may return to full duty;

    d. The date of the next scheduled appointment with the treating physician.

4. Employees who are not qualified for leave under the Family and Medical Leave Act, or who have exhausted all such leave, may be assigned to alternate duty pursuant to the other qualifications in this section.

5. The employee may not participate in any secondary job activities, as prescribed in Section 11.02, while on alternate duty. Participation in any secondary job activity may be grounds for disciplinary action up to and including termination, as determined by the Department Head and Human Resources Director.

6. Regardless of qualification, assignment to alternate duty remains at the discretion of the City. This policy will not be construed or interpreted to mean any employee has a right to an Alternate Duty assignment nor that the City is compelled to assign an individual to Alternate Duty status.

**18.03 C PROCEDURE**

1. Employees may request alternate duty appointments or be appointed to alternate duty without their consent pursuant to the qualifications as prescribed in Section 18.03 B.

2. All personnel, whether injured on or off the job, shall report to their

supervisors and to the Risk Manager every Monday morning while working alternate duty.

3. Workers' compensation claimants shall provide their Supervisor and the Risk Manager copies of all medical documents concerning their injuries within 24 hours of each doctor visit.

4. Employees assigned to alternate duty will be paid at the same monthly rate as their permanent position.

5. Work assignments and work schedules for those on alternate duty will be determined by the assigned supervisor in accordance with the determined need for service.

6. The employee is expected to cooperate and fully perform his/her assigned duties, and continue to comply with any and all City directives. The employee is also expected to inform his/her alternate duty supervisor, his/her full duty supervisor, and the Risk Manager of all scheduled medical appointments. Failure to comply may be considered insubordination and may result in termination of the alternate duty assignment, and/or disciplinary action up to and including termination.

7. Refusal to return for alternate duty will be considered insubordination and may result in termination of the alternate duty assignment, and/or disciplinary action up to and including termination.

8. No alternate duty assignment or combination of assignments will be made for a period longer than ninety (90) days, unless an exception is granted by the Human Resources Director. In no case will an alternate duty assignment last more than one year from the date of injury.

9. The employee's work status will be reviewed by the Department Head and Risk Manager every thirty (30) days while on alternate duty.

10. Alternate duty provisions for temporarily disabled employees will be re-evaluated at the time it is determined by medical authority that a permanent disability exists.

**18.03 D RETURN TO FULL DUTY**

1. An employee released by his/her treating physician to return to the employee's full duty position must provide both his/her Department Head and the Risk Manager a copy of the written release.

2. If after returning to full duty the employee finds that he/she has not recovered to the extent necessary to perform the tasks of the full duty position, he/she should inform his/her supervisor and set up an appointment with the treating physician as soon as possible. If necessary, the employee can request a written medical excuse from duty. Copies of the excusal must be provided to the Department Head and Risk Manager. The employee can request another alternate duty assignment if the ninety (90) day limit has not been reached or if the limit has been extended under the provisions of section 18.03 C Item (8) or may take any available paid or unpaid leave. The employee must choose one or the other or be subject to disciplinary action up to and including termination.

3. If it is determined by the treating physician that the employee will never be capable of returning to full duty, the employee may apply for permanent employment in his/her current alternate duty position or in another vacant City position. In this case, the employee will be evaluated in the same manner and by the same process as all applicants for the position. If no position is available, the employee may be subject to termination.

## 18.04 MOTOR VEHICLE RECORD CHECK AND DRIVING ELIGIBILITY

### 18.04 A PURPOSE

It is the City of Allen's policy that prospective employees applying for a job which entails operation of a City vehicle or the use of personal vehicles within the course of their normal job duties allow the City to perform a motor vehicle record check and also allow the City to obtain their current three-year driving record. The driving records of current employees that operate City vehicles or their personal vehicles in the course of their normal job duties will also be checked on an annual basis. These requests are made as permitted by Sec. 411.135 of the Texas Government Code. Records will be reviewed by the Human Resources Department to ensure that employees who operate City vehicles can be expected to operate those vehicles safely and responsibly, and uphold the City's image and its obligations to its citizenry.

### 18.04 B ADMINISTRATIVE PROCEDURES

**NEW EMPLOYEES**

Upon review of the applicant's driving record, the Human Resources Department will assign a driver rating to the prospective employee. A satisfactory rating is necessary for employment in a position that entails operation of a City vehicle. An unsatisfactory driving rating will not necessarily preclude employment in other

positions that do not require use of a City vehicle or personal vehicle. If it is determined that an applicant has falsified any information on the motor vehicle record check form or has altered their driving record in any way, their application will be voided in its entirety. Persons hired who do not possess an appropriate and valid Texas Driver's License must obtain one within 30 days after being hired.

### 18.04 C CURRENT EMPLOYEES

Each year employees who currently operate City vehicles or use their personal vehicle within the course of their normal job duties will be subject to an annual driving record check.

The Human Resources Department will annually obtain every employee's driving record from the Texas Department of Public Safety, or the appropriate out-of- state agency if the employee has lived in the state for fewer than three years. As with new hires, the employee's record will be reviewed and given a rating that will determine whether or not the employee will be allowed to operate City vehicles. Any employee involved in an accident while on City business may immediately be subject to a driving record check. The following provisions will apply:

1. An unsatisfactory rating under Section 18.04 D will prohibit an employee from operating a City vehicle or their personal vehicle in the course of their work, but will not otherwise effect their employment with the City unless their primary job task is the operation of a vehicle. In that case numerous possibilities will be considered, up to and including termination. In the instance of an unsatisfactory rating, the Department Head will meet with the employee to discuss the implications of the rating.

2. Authorized personnel who have had their license suspended or revoked will automatically be suspended from driving City or personal vehicles in the course of their job duties.

3. Failure to inform the supervisor of a citation or license suspension (including Commercial Driver's License) may result in disciplinary actions up to and including termination.

### 18.04 D OPERATOR STANDARDS

The driving records of applicants and current employees in positions requiring the operation of City vehicles or use of personal vehicles within the course and scope of their normal job duties will be reviewed in terms of the following in order to determine driving eligibility. They shall not be eligible if their total number of points accumulated over the three years covered by the record check equals ten (10) or more.

| Violations | Points |
|---|---|
| License Suspension/revocation | 10 |
| Driving while intoxicated or under the influence of narcotics | 10 |
| Any serious violation such as reckless driving, endangerment, racing, etc. | 10 |
| Any speeding violation | 3 |
| Any chargeable bodily injury accident | 3 |
| Any chargeable property accident | 3 |
| Any standard moving violation | 1 |
| Any chargeable property damage accident totaling less than $1,000 and does not involve a citizen or any other privately owned property | 1 |

Points are only recorded in the case of a conviction, guilty plea or any adjudication other than guilty. If a defendant is found not guilty of a violation, no points will be recorded.

**18.04 E REINSTATEMENT OF DRIVING ELIGIBILITY**

The following provisions will apply:

1. If an employee's driving record improves enough over time (i.e., offenses pass out of the three-year record), the employee will again be allowed to operate City vehicles or will again be able to use personal vehicles within the course of their normal job duties.

2. An employee can take a City approved defensive driving course once every three (3) years in order to nullify a single three-point offense. The employee must successfully graduate the course and provide evidence attesting to that fact to the Human Resources Department and the employee's Department Head. The employee must participate in the course on his/her own time and not during his/her scheduled work hours.

3. The Human Resources Director, at the request of the Department Head, may reinstate the employee's driving privileges if the Department Head so chooses after reviewing the employee's work history, overall driving record, and safety record, or make reinstatement conditional upon the outcome of any court case stemming from the employee's violation. This decision will be made on a case-by-case basis and driving privileges will not be reinstated simply because a request is made by the employee or Department Head.

4. The previously listed provisions are the only means for the employee to have his/her driving eligibility reinstated.

## 18.04 F EXCEPTIONS AND GRANDFATHER CLAUSE

Employees hired before the implementation of this policy who would become immediately ineligible to operate City vehicles under it may be grandfathered if they did not become ineligible due to a serious (10 point) violation. If an employee did commit a serious violation, the following procedures will be followed:

1. The employee may immediately be removed from their position if its primary functions involve operation of City vehicles and be reassigned to a non-driving position, if feasible. Reassignments must be reviewed and approved by the City Manager.

2. Decisions on reassignment will be handled on a case-by-case basis and involve review of the employee's work history, overall driving record, and safety record.

3. A reassigned employee will receive payment based on the classification of their new position immediately after the reassignment.

4. If the employee cannot be reassigned, he/she will be separated from employment within thirty (30) days from when the employee was determined to be ineligible for his/her position.

If the employee continues with the City in any position, driving checks on the employee will continue normally as described in this policy. Grandfathered employees will be considered as starting with a clean record immediately upon their grandfathering.

## 18.04 G VEHICLE USAGE

Employee vehicle usage is governed by the City's Vehicle Use Policy ***(Administrative Directive FIN-6)***. Revocation and return of driving eligibility due to violation of a section of the Vehicle Use Policy will be handled at the appropriate Department Head's discretion on a case-by-case basis.

# CHAPTER NINETEEN
## DEPARTMENTAL WORK RULES

### 19.01 DEPARTMENTAL WORK RULES

#### 19.01 A AUTHORITY TO PROMULGATE RULES

Departments shall have the authority to develop and administer departmental work rules.

#### 19.01 B CONFLICT

No departmental work rule shall conflict with policies or procedures established by the City Council.

#### 19.01 C CONFLICT RESOLUTION

Where a question of conflict arises, the City Manager will make the final interpretation. The decision of the City Manager is not subject to appeal.

# CHAPTER TWENTY
## WORKPLACE VIOLENCE

### 20.01 PURPOSE

The City of Allen is committed to ensuring a safe working environment for all employees. Both management and employees have a responsibility to assist in establishing and maintaining a violence-free work environment. Therefore, each employee will report all acts of violence or behavior, which could potentially lead to violence.

### 20.02 POLICY

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

Possession of weapons (not assigned as a tool of a job assignment) on any City premises, including parking facilities and City sponsored events constitute a threat of violence. The threat of violence may include, but is not limited to, any indication of intent to harm a person or damage City property. Threats may be direct or indirect and they may be verbal or nonverbal.

The City does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. The following list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging City property or property of another employee;
- Possession of a weapon while on City property or while on City business;
- Committing acts motivated by, or related to, sexual harassment or domestic violence in the workplace.
- Resentment or animosity toward a person based on race, color, religion, sex, age, national origin, sexual orientation or disability status.

The City of Allen will maintain a zero-tolerance policy for acts of violence and threats of violence. Such incidents will lead to disciplinary action up to and including termination.

While we do not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform the Human Resources Department if any employee exhibits behavior that could be a sign of potentially dangerous situations. Such behavior includes:

- Discussing weapons or bringing them to the workplace;
- Displaying overt signs of extreme stress, resentment, hostility, or anger;
- Making threatening remarks;
- Sudden or significant deterioration of performance;
- Displaying irrational or inappropriate behavior.

Any potentially dangerous situation must be reported immediately to a supervisor or the Human Resources Department. Employees are to call 911 and Human Resources for imminent dangerous situations. Reports can be made anonymously, and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. The City will actively intervene at any indication of a possibly hostile or violent situation. Employees who make false reports may be subject to discipline up to and including termination.

Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm, make constant eye contact and talk to the individual. If a supervisor can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, cooperate and follow the instructions given.