

**William A. 'Bert' Miller, III**  
Mayor  
**Bernie Gessner**  
Mayor Pro-Tem  
**Josh M. Fultz** Councilmember



**James Harris**  
Councilmember  
**Pattie Pederson**  
Councilmember

**NOTICE OF MEETING OF THE GOVERNING BODY OF THE  
CITY OF NAVASOTA, TEXAS  
AUGUST 28, 2023**

Notice is hereby given that a Special Meeting of the governing body of the City of Navasota will be held on the 28th of August, 2023 at 4:30 PM at the City Hall in the City Council Chambers, Room No. 161, located at 200 E. McAlpine Street, Navasota, Texas 77868, at which time the following subjects will be considered, to wit:

To watch the City Council meeting live please visit the City of Navasota's Youtube here: <https://www.youtube.com/channel/UCItnx7BQt0TCIYJRiZ14g5w>

- 1 Call to Order.
- 2 Workshop to discuss the addition of a Tuition Reimbursement Policy for City of Navasota employees as a new benefit. [Jason Weeks, City Manager]
- 3 Workshop to discuss the addition of a Paid Parental Leave Policy for City of Navasota employees as a new benefit. [Jason Weeks, City Manager]
- 4 Workshop to discuss the addition of Certification Pay Policy for the City of Navasota employees as a new benefit. [Jason Weeks, City Manager]
- 5 Workshop to discuss the addition of Catastrophic Leave Pool Policy for the City of Navasota employees as a new benefit. [Jason Weeks, City Manager]
- 6 Adjourn.

**DATED THIS THE 22ND OF AUGUST, 2023**

**/JW/**

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**BY: JASON WEEKS, CITY MANAGER**

**I, the undersigned authority, do hereby certify that the above notice of meeting of the governing body of the CITY OF NAVASOTA, is a true and correct copy of said notice and that I posted a true and correct copy of said notice in the glass bulletin board, in the foyer, on the south side of the Municipal Building as well as in the bulletin board on the north side of the Municipal Building of the City of Navasota, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted on the 22nd of August, 2023 at 12:56 PM and will remain posted continuously for at least 72 hours preceding the scheduled time of said meeting. Agendas may be viewed at [www.navasotatx.gov](http://www.navasotatx.gov).**

***The City Council reserves the right to convene in Executive Session at any time deemed necessary for the consideration of confidential matters under the Texas Government Code, Sections 551.071-551.089.***

**DATED THIS THE 22ND OF AUGUST, 2023**

**/SMH/**

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**BY: SUSIE M. HOMEYER, CITY SECRETARY**

**THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (936) 825-6475 OR (936) 825-6408 OR BY FAX AT (936) 825-2403.**



## REQUEST FOR CITY COUNCIL AGENDA ITEM #2

<p>Agenda Date Requested: <u>August 28, 2023</u></p> <p>Requested By: <u>Jason Weeks, City Manager</u></p> <p>Department: <u>Administration</u></p> <p><input checked="" type="radio"/> Report    <input type="radio"/> Resolution    <input type="radio"/> Ordinance</p> <p><b>Exhibits:</b> <u>Tuition Reimbursement Policy</u></p>	<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2" style="text-align: center;">Appropriation</th></tr></thead><tbody><tr><td>Source of Funds:</td><td><u>N/A</u></td></tr><tr><td>Account Number:</td><td><u>N/A</u></td></tr><tr><td>Amount Budgeted:</td><td><u>N/A</u></td></tr><tr><td>Amount Requested:</td><td><u>N/A</u></td></tr><tr><td>Budgeted Item:</td><td><input type="radio"/> Yes    <input checked="" type="radio"/> No</td></tr></tbody></table>	Appropriation		Source of Funds:	<u>N/A</u>	Account Number:	<u>N/A</u>	Amount Budgeted:	<u>N/A</u>	Amount Requested:	<u>N/A</u>	Budgeted Item:	<input type="radio"/> Yes <input checked="" type="radio"/> No
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### AGENDA ITEM #2

**Workshop to discuss the addition of a Tuition Reimbursement Policy for City of Navasota employees as a new benefit.**

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### SUMMARY & RECOMMENDATION

Last August during the budget process, City Council agreed to move forward with a Tuition Reimbursement program; however, staff did not create a policy until recently.

Staff is proposing the attached Tuition Reimbursement Policy. The City of Navasota would offer an educational assistance program to regular full-time employees under Section 127 of the Internal Revenue Code (IRC 127), which covers employer-provided education assistance programs. Under IRC 127, an employer may exclude qualified expenses from an employee's gross income, up to a maximum dollar amount per calendar year. This plan is for the exclusive benefit of employees of the City of Navasota to provide such employees with educational assistance. The purpose of the educational assistance program is to broaden the knowledge of employees in their fields and to provide an avenue for career development. The Human Resources Department will administer the program and review all reimbursement applications. This program is contingent upon annual appropriation of funds and is subject to change at any time.

Staff has worked together and along with legal counsel to propose the attached Tuition Reimbursement Policy to begin October 1, 2023. All courses reimbursed under this policy must be taken on the employee's own time. The employee must attain a course grade equivalent to a "C" or better in each course to be eligible for reimbursement. Reimbursement will be made at rates not to exceed current Texas A&M University tuition and fee scheduled rates for Texas residents. Full-time employees are eligible for reimbursement up to 60% of eligible expenses annually, not to exceed \$40,000.00 per employee over the entire duration of employment at the City, unless determined

otherwise by City Manager, including fees for tuition, mandatory fees, and parking permit fees. Supplies, books, travel, late fees, property deposits or other expenses are not eligible expenses. Employees would have the opportunity to earn an associate or bachelor's degree in most majors. They could earn a master's degree in an applicable degree for advancement in city government. Additionally, an employee would be able to attend a vocational trade school and earn a diploma or certification (equivalent to an associate degree). Staff have included "claw-back" provisions where the employee would be required to pay back some or all of the tuition reimbursements if they depart the City of Navasota too early. Finally, the Tuition Reimbursement would be contingent on budgeted funds.

For FY 2023-24, no department has budgeted tuition reimbursement funds. Therefore, for an employee to participate in the reimbursement program during the FY 2023-24 their respective department director and City Manager would need to identify funding sources prior to authorizing the employee to move forward with utilizing this added benefit.

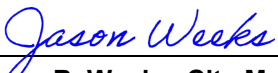
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#### **ACTION REQUIRED BY CITY COUNCIL**

**Provide staff feedback on the proposed Paid Parental Leave Policy and direct staff to place the item on a future agenda as an action item.**

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**Approved for the City Council meeting agenda.**

  
\_\_\_\_\_  
**Jason B. Weeks, City Manager**

8/22/23

\_\_\_\_\_  
**Date**

## **City of Navasota Tuition Reimbursement Policy**

The City of Navasota offers an educational assistance program to regular full-time employees under Section 127 of the Internal Revenue Code (IRC 127), which covers employer-provided education assistance programs. Under IRC 127, an employer may exclude qualified expenses from an employee's gross income, up to a maximum dollar amount per calendar year. This plan is for the exclusive benefit of employees of the City of Navasota to provide such employees with educational assistance. The purpose of the educational assistance program is to broaden the knowledge of employees in their fields and to provide an avenue for career development. The Human Resources Department will administer the program and review all reimbursement applications. This program is contingent upon annual appropriation of funds and is subject to change at any time.

### **1. Eligibility Requirements**

This program is available to employees who wish to voluntarily pursue educational advancement or training. *It does not apply to courses or training that are required by the City.* Also, the program does not cover professional licensing and professional development seminars. Any course, training, licensing, or certification that is required by the City will be covered by professional development funds within each department. All regular (completed introductory period), full-time employees are eligible for the tuition reimbursement program. Employees who are on a Performance Improvement Plan (PIP) do not qualify for this program until they have successfully met the PIP requirements.

All courses reimbursed under this policy must be taken on the employee's own time. If a class is only available during an employee's normal work hours, the employee may request a flexible schedule from the employee's Department Director. A memorandum outlining the employee's flexible work schedule must be signed by the employee, approved by the Department Director, and forwarded to the Human Resources Department with the completed Tuition Reimbursement Program Application. Final approval must be obtained from the City Manager. When there is a conflict between classes and the employee's job responsibilities, the job responsibility must come first.

***Employees must attain a course grade equivalent to a "C" or better (employees must "pass" in classes graded on a pass/fail basis) in each course to be eligible for reimbursement.*** Reimbursement will not be provided for classes not completed successfully.

### **2. Reimbursement Categories**

This section defines the eligible categories for tuition reimbursement. Reimbursement will be made at rates not to exceed current Texas A&M University tuition and fee scheduled rates for Texas residents. Full-time employees are eligible for reimbursement up to 60% of eligible expenses annually, not to exceed \$40,000.00 per employee over the entire duration of employment at the City, unless determined otherwise by City Manager,

including fees for tuition, mandatory fees, and parking permit fees. Supplies, books, travel, late fees, property deposits or other expenses are not eligible expenses. Categories include:

A. College/University Tuition Degree Program:

Includes course work in pursuit of an Associate, Bachelor's, or Master's degree. A list of Texas Institutions of Higher Education that are eligible for this program is available at <http://www.collegeforalltexans.com/> CollegeForAllTexans.com is a project of the Texas Higher Education Coordinating Board.

- ✓ Associate: Most majors will be accepted.
- ✓ Bachelor's: Most majors applicable to advancement within the City will be accepted.
- ✓ Master's: Must be specifically applicable to City advancement.
- ✓ Vocational: Includes individual courses taken in pursuit of a degree or certification equivalent to an Associate Degree.

### 3. Service Requirements/Repayment Obligations

Requirements for continued service with the City after course completion are an assurance that the City will benefit from employee participation in this program. If an employee leaves City employment **for any reason** before a service requirement is completed, the employee must repay to the City all or a portion of the tuition or other eligible expenses for which the employee was reimbursed. **A two (2) year service requirement** begins on the reimbursement check date of issuance to the employee. If the service requirement is not completed, the debt will be paid in one of the following ways:

- A. If the employee has worked less than one (1) year of the service requirement, the employee will repay to the City the full amount of the reimbursement payment made to the employee.
- B. If the employee has worked at least one (1) year, but less than two (2) years, of the service requirement, the employee will repay to the City 50% of the amount of the reimbursement payment made to the employee.

A service requirement is **not** an assurance of continued employment by the City.

If a termination of employment occurs (voluntary or involuntary) and a repayment amount is owed by the employee, and the employee does not otherwise repay the amount, the employee agrees to have the repayment amount deducted from the employee's paychecks that are issued after the termination decision occurs.

#### 4. Application Procedures

- A. Obtain a tuition reimbursement packet from the Human Resources Department. Also, this packet is available at [www.navasotatx.gov](http://www.navasotatx.gov) via the Human Resources Department link.
- B. Complete the Tuition Reimbursement Pre-Approval form by May 1<sup>st</sup> of the applicable fiscal year for any courses and reimbursements that are anticipated in the upcoming fiscal year (October 1<sup>st</sup> to September 30<sup>th</sup>).
- C. Complete the Tuition Reimbursement Application form and obtain any required approvals.
- D. Attach a school-approved degree plan for degree program reimbursement categories. ***If this is the first term in a new degree plan, you must submit the degree plan with your application.*** If an individualized plan cannot be submitted, you must submit a recommended plan (i.e., course catalog recommendations) or a letter of approval from the school stating that the courses you have chosen will fulfill requirements under your plan. Applications requesting reimbursement for upper-level courses will not be considered unless you have submitted an individualized degree plan.
- E. Applications for classes during the employee's scheduled work time must be accompanied by a memo from your Department Director approving a flexible work schedule for you. Attach the memo to your application.
- F. Attach a copy of the receipt(s) demonstrating payment of expenses eligible for reimbursement, a copy of the school's current tuition schedule, and your current class schedule to the application.
- G. You must turn in the completed application form and all required attachments to the Human Resources Department within thirty (30) days after the class start date. ***Incomplete applications and applications received late will not be approved.***
- H. The request will be approved or denied by the Human Resources Director. You will receive a memo notifying you of the status of your request within thirty (30) days of receipt of your application.
- I. To be considered for reimbursement, the employee must submit an official grade report within thirty (30) days after the last day of class. Alternate methods of grade verification may be submitted along with the Grade Verification form. Confirmation by any acceptable means other than an official grade report will allow the employee to receive a reimbursement check as soon as possible, however an official grade report must be submitted to the Human Resources Director before subsequent courses will be reimbursed.

- J. The Tuition Reimbursement Agreement form must be signed when the tuition reimbursement check is received. ***Requests for reimbursement received more than thirty (30) days after the last day of class, and those without an application on file will not be approved.***

It is the employee's responsibility to complete all of the required forms and to provide all information necessary for each application. Also, it is the employee's responsibility to submit this information in a timely manner to receive consideration, both by the Department Director and the Human Resources Director.

## **5. Special Considerations**

- A. The City will **not** pay the cost of tuition and mandatory fees which are paid by other sources, such as scholarships, grants, veterans programs, U.S. Military Reserve, aid programs or other subsidies.
- B. Paying overtime to the employee, or to another employee, in order to accommodate courses is not permitted for the purposes of this program.
- C. The availability of tuition reimbursement is subject to City Council approved funding levels. The percentage of potential tuition reimbursement will be established annually as part of the City's budget process based upon anticipated participation and available funding.

Reminder: It is the employee's responsibility to complete all steps of the process within the specified deadlines. This includes, but is not limited to, Department Director approval and the time constraints placed on the initial Application and on the deadline for submission of an official grade report. The Human Resources Department will not be responsible for notifying the employee of deadline dates. Any required documentation or forms not submitted within the stipulated time frame will not be approved or eligible for reimbursement.





### REQUEST FOR CITY COUNCIL AGENDA ITEM #3

<p>Agenda Date Requested: <u>August 28, 2023</u></p> <p>Requested By: <u>Jason Weeks, City Manager</u></p> <p>Department: <u>Administration</u></p> <p><input checked="" type="radio"/> Report    <input type="radio"/> Resolution    <input type="radio"/> Ordinance</p> <p><b>Exhibits:</b> <u>Paid Parental Leave Policy</u></p>	<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2" style="text-align: center;">Appropriation</th></tr></thead><tbody><tr><td>Source of Funds:</td><td><u>N/A</u></td></tr><tr><td>Account Number:</td><td><u>N/A</u></td></tr><tr><td>Amount Budgeted:</td><td><u>N/A</u></td></tr><tr><td>Amount Requested:</td><td><u>N/A</u></td></tr><tr><td>Budgeted Item:</td><td><input type="radio"/> Yes    <input checked="" type="radio"/> No</td></tr></tbody></table>	Appropriation		Source of Funds:	<u>N/A</u>	Account Number:	<u>N/A</u>	Amount Budgeted:	<u>N/A</u>	Amount Requested:	<u>N/A</u>	Budgeted Item:	<input type="radio"/> Yes <input checked="" type="radio"/> No
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### AGENDA ITEM #3

**Workshop to discuss the addition of a Paid Parental Leave Policy for City of Navasota employees as a new benefit.**

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### SUMMARY & RECOMMENDATION

Currently, if an employee for the City of Navasota has the birth of a child, adopts a child, or fosters a child, they are forced to use vacation and sick leave when these life changing events occur. The purpose of paid paternal leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. The addition of Paid Parental Leave ("PPL") is another benefit that can aid the City of Navasota in retaining and attracting a workforce. There are a number of benefits to both the employer and employees, such as increased employee retention, attracting & retaining new talent, increased productivity & boost employee morale, improve mental health & well-being of parents & children, and increased public & private investment. Ultimately, paid leave is essential for healthy parents and babies/children.

Staff has worked together and along with legal counsel to propose the attached Paid Parental Leave Policy to begin October 1, 2023. PPL would be available to eligible employees immediately following a birth, adoption, or foster care placement of a child under the age of 18 years. Also, employees eligible for PPL would need to be eligible for FMLA, which would run concurrent with the PPL. Eligible employees would receive three (3) continuous weeks (hours will differ depending on if employee is part of the police, fire, or civilian employee pool).

Since the City already budgets 100% of the employees' time as earnings, there would be no financial consequence to the addition of this new added benefit. However, the indirect cost would be if a department has to increase coverage and pay overtime or hire a temporary worker to assist during those three (3) weeks of PPL. Staff believe the

benefits outweigh the cost and recommend City Council giving staff directions to place on a future agenda as an action item.

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**ACTION REQUIRED BY CITY COUNCIL**

**Provide staff feedback on the proposed Paid Parental Leave Policy and direct staff to place the item on a future agenda as an action item.**

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**Approved for the City Council meeting agenda.**

*Jason Weeks*

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**Jason B. Weeks, City Manager**

*8/22/23*

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**Date**

## **City of Navasota Paid Parental Leave Policy**

1. Paid Parental Leave (PPL) is provided to eligible employees who are birth mothers, biological fathers, or adoptive or foster mothers or fathers.
  - a. Surrogate mothers and sperm donors are not eligible for PPL.
2. PPL is available to eligible employees immediately following a birth, adoption, or foster care placement of a child under the age of 18 years (age 18+ years may be waived due to disability), in recognition of the importance of work/life balance and to offer parents the opportunity to bond with a new child.
3. Employees eligible for PPL must also be FMLA-eligible and must have been full-time employees for at least one (1) year immediately prior to using PPL.
4. Eligible employees will be provided up to three (3) contiguous weeks (120 hours maximum, 126 hours maximum for police, and 160 hours maximum for fire shift personnel) of PPL immediately following birth, adoption, or foster care placement of a new child. If both parents are eligible employees, the mother giving birth must take PPL first, and the father or second parent must take the PPL at the same time or immediately after the mother's PPL has concluded. In the case of adoption or foster care placement, employees may choose to take PPL either at the same time or beginning at week four (4), when the first parent's leave has expired.
5. Eligible employees may use PPL up to two (2) times, once per child, per 12-month period, irrespective of any breaks in service.
  - a. (For example, an employee may take paternity leave in January and use PPL after the birth of a child, and then may use PPL again later in the year after the adoption of another child).
6. PPL runs concurrently with FMLA. The concurrent use of PPL and FMLA will not increase, in whole or in part, the amount of FMLA time available to employees.
7. Pay for PPL will be at one hundred percent (100%) of the employee's base pay rate and will not reduce any leave balances.
8. Multiple births, adoptions or foster care placements occurring at the same time do not increase the length of PPL.
9. PPL may not be banked for future use or used intermittently, and any PPL balance will not be paid out at separation.
10. PPL will end if employees no longer meet eligibility, such as switching from a full-time to a part-time employee.

11. PPL will be used prior to use of other employee leave, followed by sick leave and vacation time.
12. For child bonding purposes, the three (3) weeks of PPL must be exhausted before other forms of paid and unpaid leave allowed under FMLA may be used.
13. Pregnant mothers who are released from duty by their doctors prior to birth must use sick leave or vacation until the date of birth. At the time of birth, such mothers who are eligible will be able to use PPL. The time prior to the birth will be reviewed for FMLA eligibility under current FMLA policy.



## REQUEST FOR CITY COUNCIL AGENDA ITEM #5

<p>Agenda Date Requested: <u>August 28, 2023</u></p> <p>Requested By: <u>Jason Weeks, City Manager</u></p> <p>Department: <u>Administration</u></p> <p><input checked="" type="radio"/> Report    <input type="radio"/> Resolution    <input type="radio"/> Ordinance</p>	<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2" style="text-align: center;">Appropriation</th></tr></thead><tbody><tr><td>Source of Funds:</td><td><u>100/200/300/400</u></td></tr><tr><td>Account Number:</td><td><u>Various</u></td></tr><tr><td>Amount Budgeted:</td><td><u>\$51,626</u></td></tr><tr><td>Amount Requested:</td><td><u>N/A</u></td></tr><tr><td>Budgeted Item:</td><td><input type="radio"/> Yes    <input checked="" type="radio"/> No</td></tr></tbody></table>	Appropriation		Source of Funds:	<u>100/200/300/400</u>	Account Number:	<u>Various</u>	Amount Budgeted:	<u>\$51,626</u>	Amount Requested:	<u>N/A</u>	Budgeted Item:	<input type="radio"/> Yes <input checked="" type="radio"/> No
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**Exhibits:** Certification Pay Policy & Amount Schedule

### AGENDA ITEM #5

**Workshop to discuss the addition of Certification Pay Policy for the City of Navasota employees as a new benefit.**

### SUMMARY & RECOMMENDATION

The City of Navasota encourages its employees to pursue opportunities to earn advanced training relative to their job duties and positions. Not only does it improve employees' education, but it also benefits the operations of the City of Navasota. Currently, the Navasota Police Department is the only department in the City that pays their employees for various certifications related to NPD. As part of the Strategic Planning sessions, City Council identified "Staffing" as a goal with the concept of increasing and improving employee benefits. The addition of stipend for certifications and miscellaneous designations and/or qualifications was decided as a way to improve some of the employee benefits. Therefore, staff worked with legal counsel on the attached proposed Certification Pay Policy.

Certification Pay is only available to full-time employees. In order to receive certification pay, the employee must provide the certificate or documentation to the Human Resources Director. Additionally, the employee will only receive Certification Pay while in a department that recognizes that specific certification and which is also listed in this Policy herein below. It is the employee's responsibility to provide documentation demonstrating current status of the certification. All employee grades are eligible for Certification Pay. Department directors may implement their own departmental policies related to Certification Pay that are stricter and require additional documentation and/or processes than the City's Certification Pay Policy. However, no Department may implement a Department Certification Pay Policy that has less restrictive processes, eligibility requirements or different Certification Pay amounts than the City's Certification Pay Policy. The maximum total of all certifications pays cannot exceed

\$250.00 per month/\$3,000.00 per year (\$115.38 per pay period) for non-public safety employees and \$300.00 per month/\$3,600.00 per year (\$138.46 per pay period) for police and fire department employees.

Currently, the Navasota Fire Department (“NFD”) is not structured to include supervisory firefighters. However, when firefighters respond to emergency calls, one of the firefighters is responsible for taking on a supervisory responsibility for other paid firefighters, part-time and volunteer firefighters; therefore, this Policy includes providing special assignment “step up” pay for the firefighter that has the supervisory responsibility for their respective shift. Assignment pay will be paid to members of NFD who are assigned additional duties in a higher classification as a company officer on an apparatus. This is a member of the fire department that is normally classified as a firefighter but has been assigned as a company officer but has not been promoted and permanently assigned as a Captain, Sr. Firefighter, or Lieutenant. Assignment pay will be paid at the rate of \$270.83 per month/\$3,250.00 per year (\$125.00 per pay period) to any personnel that has been assigned to ride as the company officer for A-Shift, B-Shift, or C-Shift. In no instance will assignment pay be paid to more than two (2) persons per shift (except during emergency call back situations). Additionally, this special assignment “step up” pay will not be considered as Certification Pay, thereby not subject to be a part of the capped Certification Pay for public safety personnel. A member of the NFD can receive up to the maximum allowed for Certification Pay, \$300.00 per month (\$138.46 per pay period) and the special assignment “step up” pay of \$270.83 per month (\$125.00 per pay period).

The proposed FY 2023-24 Budget includes \$51,626 for certification pay for employees in the General Fund, Water Fund, Natural Gas Fund, and Wastewater Fund. Additionally, staff have worked on the attached Certification Pay Policy Amount Schedule. The amounts are based on the difficulty level and subsequent CPE requirements to maintain those certifications. Overall, staff has placed a cap on the amount an employee (civilian - \$3,000/year and public safety - \$3,600/year) to honor the certification as a benefit to the City of Navasota rather than a “line-item” to supplement an employee’s salary. Staff recommends City Council provide staff feedback and asks Council to direct staff to bring this Policy back to Council for action at a future City Council meeting.

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#### **ACTION REQUIRED BY CITY COUNCIL**

**Provide staff feedback on the proposed Certification Pay Policy and direct staff to place the item on a future agenda as an action item.**

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Approved for the City Council meeting agenda.

  
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Jason B. Weeks, City Manager

8/22/23

\_\_\_\_\_  
Date

## **City of Navasota Certification Pay Policy**

The City of Navasota encourages its employees to pursue opportunities to earn advanced training relative to their job duties and positions. Not only does it improve employees' education, but it also benefits the operations of the City. The City has hereby adopted a policy of acknowledging specific training certifications with additional pay, called the Certification Pay Policy ("Policy").

Certification Pay is only available to full-time employees. In order to receive certification pay, the employee must provide the certificate or documentation to the Human Resources Director. Additionally, the employee will only receive Certification Pay while in a department that recognizes that specific certification and which is also listed in this Policy herein below. It is the employee's responsibility to provide documentation demonstrating current status of the certification. All employee grades are eligible for Certification Pay. Department directors may implement their own departmental policies related to Certification Pay that are stricter and require additional documentation and/or processes than the City's Certification Pay Policy. However, no Department may implement a Department Certification Pay Policy that has less restrictive processes, eligibility requirements or different Certification Pay amounts than the City's Certification Pay Policy. The maximum total of all certifications pays cannot exceed \$250.00 per month/\$3,000.00 per year (\$115.38 per pay period) for non-public safety employees and \$300.00 per month/\$3,600.00 per year (\$138.46 per pay period) for police and fire department employees.

Currently, the Navasota Fire Department ("NFD") is not structured to include supervisory firefighters. However, when firefighters respond to emergency calls, one of the firefighters is responsible for taking on a supervisory responsibility for other paid firefighters, part-time and volunteer firefighters; therefore, this Policy includes providing special assignment "step up" pay for the firefighter that has the supervisory responsibility for their respective shift. Assignment pay will be paid to members of NFD who are assigned additional duties in a higher classification as a company officer on an apparatus. This is a member of the fire department that is normally classified as a firefighter but has been assigned as a company officer but has not been promoted and permanently assigned as a Captain, Sr. Firefighter, or Lieutenant. Assignment pay will be paid at the rate of \$270.83 per month/\$3,250.00 per year (\$125.00 per pay period) to any personnel that has been assigned to ride as the company officer for A-Shift, B-Shift, or C-Shift. In no instance will assignment pay be paid to more than two (2) persons per shift (except during emergency call back situations). Additionally, this special assignment "step up" pay will not be considered as Certification Pay, thereby not subject to be a part of the capped Certification Pay for public safety personnel. A member of the NFD can receive up to the maximum allowed for Certification Pay, \$300.00 per month (\$138.46 per pay period) and the special assignment "step up" pay of \$270.83 per month (\$125.00 per pay period).

All Certification Pay additions and/or deletions must be reviewed by the Human Resources Director and approved by the City Manager.

**City of Navasota**  
**Certification Pay Policy**  
**Effective October 1, 2023**

Description	Annual	Monthly	Bi-Weekly
<b>City-Wide</b>			
City-wide Bilingual Pay (Oral & Written)	\$600.00	\$50.00	\$23.08
Certified Public Manager (CPM)	\$600.00	\$50.00	\$23.08
<b>City Secretary</b>			
Texas Registered Municipal Clerk	\$900.00	\$75.00	\$34.62
<b>Development Services</b>			
Residential Inspector 4-Pack (Building, Electrical, Plumbing, Mechanical)	\$900.00	\$75.00	\$34.62
Commercial Inspector 4-Pack (Building, Electrical, Plumbing, Mechanical)	\$1,200.00	\$100.00	\$46.15
Residential Plans Examiner	\$300.00	\$25.00	\$11.54
Building Plans Examiner	\$300.00	\$25.00	\$11.54
Electrical Plans Examiner	\$300.00	\$25.00	\$11.54
Plumbing Plans Examiner	\$300.00	\$25.00	\$11.54
Mechanical Plan Examiner	\$300.00	\$25.00	\$11.54
Code Enforcement Officer Level I	\$300.00	\$25.00	\$11.54
Code Enforcement Officer Level II	\$600.00	\$50.00	\$23.08
Property Maintenance & Housing Inspector	\$300.00	\$25.00	\$11.54
Zoning Inspector	\$300.00	\$25.00	\$11.54
Permit Technician	\$300.00	\$25.00	\$11.54
Certified Floodplain Manager	\$600.00	\$50.00	\$23.08
Certified Planner (AICP)	\$1,200.00	\$100.00	\$46.15
Certified Building Official (CBO)	\$1,500.00	\$125.00	\$57.69
<b>Economic Development</b>			
Certified Economic Developer (CEcD)	\$1,200.00	\$100.00	\$46.15
Professional Community & Economic Developer (PCED)	\$900.00	\$75.00	\$34.62
Economic Development Finance Professional (EDFP)	\$300.00	\$25.00	\$11.54
<b>Emergency Management</b>			
Texas Emergency Manager	\$900.00	\$75.00	\$34.62
Certified Emergency Manager (International Assoc. of Emergency Managers)	\$1,500.00	\$125.00	\$57.69
<b>Financial Services</b>			
Certified Payroll Professional	\$300.00	\$25.00	\$11.54
Certified Public Accountant (CPA)	\$1,200.00	\$100.00	\$46.15
Certified Government Finance Officer (GFOAT)	\$600.00	\$50.00	\$23.08
Certified Public Finance Officer (GFOA)	\$300.00	\$25.00	\$11.54
Certified Public Purchasing Buyer	\$300.00	\$25.00	\$11.54
Certified Public Purchasing Officer	\$300.00	\$25.00	\$11.54
Certified Public Procurement Officer	\$300.00	\$25.00	\$11.54
Certified Professional Public Buyer	\$300.00	\$25.00	\$11.54
Class A Water License	\$1,500.00	\$125.00	\$57.69
Class B Water License	\$1,200.00	\$100.00	\$46.15
Class C Water License	\$900.00	\$75.00	\$34.62
Class D Water License	\$600.00	\$50.00	\$23.08



**City of Navasota  
Certification Pay Policy  
Effective October 1, 2023**

Description	Annual	Monthly	Bi-Weekly
<b>Fire</b>			
Fire Inspector Advanced	\$900.00	\$75.00	\$34.62
Fire Inspector Intermediate	\$600.00	\$50.00	\$23.08
Fire Inspector Basic	\$300.00	\$25.00	\$11.54
Arson Investigator Master	\$1,500.00	\$125.00	\$57.69
Arson Investigator Advanced	\$1,200.00	\$100.00	\$46.15
Arson Investigator Intermediate	\$900.00	\$75.00	\$34.62
Firefighter Master	\$1,500.00	\$125.00	\$57.69
Firefighter Advanced	\$1,200.00	\$100.00	\$46.15
Firefighter Intermediate	\$900.00	\$75.00	\$34.62
Fire Officer 4	\$1,500.00	\$125.00	\$57.69
Fire Officer 3	\$1,200.00	\$100.00	\$46.15
Fire Officer 2	\$900.00	\$75.00	\$34.62
Fire Officer 1	\$600.00	\$50.00	\$23.08
Fire Instructor 3	\$900.00	\$75.00	\$34.62
Fire Instructor 2	\$600.00	\$50.00	\$23.08
Fire Instructor 1	\$300.00	\$25.00	\$11.54
Hazardous Materials Technician	\$600.00	\$50.00	\$23.08
Incident Safety Officer	\$480.00	\$40.00	\$18.46
Basic Wildland Firefighter	\$300.00	\$25.00	\$11.54
Driver/Operator - Pumper	\$300.00	\$25.00	\$11.54
Swift Water Technician	\$600.00	\$50.00	\$23.08
Intermediate EMT	\$600.00	\$50.00	\$23.08
Paramedic	\$1,200.00	\$100.00	\$46.15
SPECIAL "STEP UP" PAY	\$3,250.00	\$270.83	\$125.00
<b>Human Resources</b>			
Senior Professional in Human Resources (SPHR)	\$900.00	\$75.00	\$34.62
Professional in Human Resources (PHR)	\$600.00	\$50.00	\$23.08
Employee Benefits Manager Certification	\$300.00	\$25.00	\$11.54
<b>Library</b>			
Certified Public Library Administrator (CPLA)	\$600.00	\$50.00	\$23.08
<b>Marketing &amp; Communications &amp; Tourism</b>			
Public Information Officer (PIO) NFPA	\$300.00	\$25.00	\$11.54
Certified Public Communicator	\$1,200.00	\$100.00	\$46.15
Certified Festival & Event Executive (CFEE)	\$900.00	\$75.00	\$34.62
Certified Destination Management Executive (CMDE)	\$1,200.00	\$100.00	\$46.15
<b>Municipal Court</b>			
Level III Certification	\$1,200.00	\$100.00	\$46.15
Level II Certification	\$900.00	\$75.00	\$34.62
Level I Certification	\$600.00	\$50.00	\$23.08
<b>Parks &amp; Recreation</b>			
Certified Pool Operator	\$300.00	\$25.00	\$11.54
CPR First-Aid Certification	\$300.00	\$25.00	\$11.54
Aquatics Facilities Operator	\$600.00	\$50.00	\$23.08
Lifeguard Instructor	\$600.00	\$50.00	\$23.08
Certified Parks & Recreation Professional (CPRP)	\$900.00	\$75.00	\$34.62
Certified Parks & Recreation Executive (CPRE)	\$1,200.00	\$100.00	\$46.15

**City of Navasota  
Certification Pay Policy  
Effective October 1, 2023**

Description	Annual	Monthly	Bi-Weekly
<b>Police</b>			
Administrative Certification	\$900.00	\$75.00	\$34.62
Telecommunicator - Master	\$1,500.00	\$125.00	\$57.69
Telecommunicator - Advanced	\$1,200.00	\$100.00	\$46.15
Telecommunicator - Intermediate	\$900.00	\$75.00	\$34.62
Telecommunicator - Basic	\$600.00	\$50.00	\$23.08
Officer - Master	\$1,500.00	\$125.00	\$57.69
Officer - Advanced	\$1,200.00	\$100.00	\$46.15
Officer - Intermediate	\$900.00	\$75.00	\$34.62
Officer - Basic	\$600.00	\$50.00	\$23.08
Property Custodian - Advanced	\$900.00	\$75.00	\$34.62
Property Custodian - Basic	\$600.00	\$50.00	\$23.08
Special Response Team (SRT)	\$660.00	\$55.00	\$25.38
Field Training Officer (FTO) [\$20/day when needed]			
Basic Animal Control Officer	\$600.00	\$50.00	\$23.08

<b>Public Works</b>			
Class A - Wastewater Treatment Plant Operator	\$1,500.00	\$125.00	\$57.69
Class B - Wastewater Treatment Plant Operator	\$1,200.00	\$100.00	\$46.15
Class C - Wastewater Treatment Plant Operator	\$900.00	\$75.00	\$34.62
Class D - Wastewater Treatment Plant Operator	\$600.00	\$50.00	\$23.08
Class III - Wastewater Collection Systems Operator	\$900.00	\$75.00	\$34.62
Class II - Wastewater Collection Systems Operator	\$600.00	\$50.00	\$23.08
Class I - Wastewater Collection Systems Operator	\$300.00	\$25.00	\$11.54
Grade A - Water License	\$1,500.00	\$125.00	\$57.69
Grade B - Water License	\$1,200.00	\$100.00	\$46.15
Grade C - Water License	\$900.00	\$75.00	\$34.62
Grade D - Water License	\$600.00	\$50.00	\$23.08
Backflow (BPAT)	\$600.00	\$50.00	\$23.08
Customer Service Inspector (CSI)	\$300.00	\$25.00	\$11.54
Poly Fusion Certification	\$600.00	\$50.00	\$23.08
Texas Motor Vehicle Inspection	\$600.00	\$50.00	\$23.08
Certified Master Auto Technician	\$900.00	\$75.00	\$34.62
Master Medium/Heavy Truck Technician	\$600.00	\$50.00	\$23.08
Engine Repair	\$300.00	\$25.00	\$11.54
Automatic Transmission	\$300.00	\$25.00	\$11.54
Brakes	\$300.00	\$25.00	\$11.54
Hazmat Endorsement	\$300.00	\$25.00	\$11.54
Herbicide	\$300.00	\$25.00	\$11.54
Pesticide	\$300.00	\$25.00	\$11.54
Commercial Driver's License (CDL)	\$600.00	\$50.00	\$23.08
Technician License	\$300.00	\$25.00	\$11.54
Certified Playground Inspector	\$300.00	\$25.00	\$11.54
Certified Arborist	\$300.00	\$25.00	\$11.54

**City of Navasota  
Certification Pay Policy  
Effective October 1, 2023**

Description	Annual	Monthly	Bi-Weekly
<b>Technology</b>			
A+ Certificate	\$300.00	\$25.00	\$11.54
Cisco Certified Network Associate	\$300.00	\$25.00	\$11.54
Microsoft Certified Professional	\$600.00	\$50.00	\$23.08
Cisco Certified Professional	\$600.00	\$50.00	\$23.08
Microsoft Certified Professional + Internet	\$900.00	\$75.00	\$34.62
Cisco Certified Expert	\$900.00	\$75.00	\$34.62
Dell Hardware Certification	\$300.00	\$25.00	\$11.54
IT-COMPTIA A+	\$300.00	\$25.00	\$11.54
IT-COMPTIA N+	\$300.00	\$25.00	\$11.54
IT-COMPTIA S+	\$300.00	\$25.00	\$11.54
Microsoft Certified Solutions Associate	\$300.00	\$25.00	\$11.54
Microsoft MCDST	\$300.00	\$25.00	\$11.54
Vm-ware VCP	\$300.00	\$25.00	\$11.54
IT-CCNA (Cisco)	\$300.00	\$25.00	\$11.54



## REQUEST FOR CITY COUNCIL AGENDA ITEM #5

Agenda Date Requested: <u>August 28, 2023</u>	<b>Appropriation</b>
Requested By: <u>Jason Weeks, City Manager</u>	Source of Funds: <u>N/A</u>
Department: <u>Administration</u>	Account Number: <u>N/A</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance	Amount Budgeted: <u>N/A</u>
	Amount Requested: <u>N/A</u>
	Budgeted Item: <input type="radio"/> Yes <input checked="" type="radio"/> No

**Exhibits:** Catastrophic Leave Pool Policy

### AGENDA ITEM #5

**Workshop to discuss the addition of Catastrophic Leave Pool Policy for the City of Navasota employees as a new benefit.**

### SUMMARY & RECOMMENDATION

Staff for the City of Navasota are proposing to establish a Catastrophic Leave Pool program to benefit employees of the City of Navasota. Regular full-time employees with twelve (12) or more months of continuous employment with the City who are paid from the City's General Fund or an Enterprise Fund (Water Fund, Natural Gas Fund, or Wastewater Fund) of the City may elect to transfer earned sick leave time to the City of Navasota Catastrophic Leave Pool ("Pool"). The leave time in this Pool may then be used by eligible employees for catastrophic illness or injury, as defined and under the terms and conditions set forth by the City of Navasota and described within this Catastrophic Leave Pool Policy. Participation in the Pool is entirely voluntary, and decisions will be based on whether an employee has contributed sick leave to the Pool. The Pool benefits eligible employees who have exhausted all accrued leave, including vacation, compensatory time, and sick leave due to a catastrophic injury or illness, as defined within the Policy.

The Human Resources Director will be designated as the administrator of the Catastrophic Leave Pool program. The Policy outlines the annual creation of a review committee. The City Catastrophic Leave Pool Review Committee ("Committee") will consist of the Catastrophic Leave Pool Administrator, the Chief Financial Officer, two (2) representatives from sworn public safety (fire and police) employees, two (2) employees from Public Works Department, and one (1) employee representative from the remaining civilian employees who shall be selected by random drawing from the names of all full-time City employees. No elected officials may serve on the Committee. Selected employee representatives will serve on the Committee for a period of one (1)

year unless sooner relieved by reason of a change in their employment status or other precluding circumstances. In this event, the City Manager shall select by random drawing a replacement employee representative from the appropriate category of employees to serve out the unexpired term of the original employee representative. Employee representation on the Committee will be on a rotating basis. At the beginning of each City of Navasota fiscal year, membership on the Committee will be modified by the retirement of all Committee members, except for the Pool Administrator and the Chief Financial Officer, and a new panel will be appointed by the random selection from the names of all full-time City employees in the appropriate category of employees except those retiring from the Committee. Once an employee has served on the Committee, such an employee may be excluded from future selection, at the employee's option, until three (3) years have passed since the expiration of such employee's most recent service on the Committee. All Committee members, including the Catastrophic Leave Pool Administrator, shall be voting members of the Committee and have equal voting rights. The attendance of at least four (4) members of the Committee is necessary to establish a quorum for the Committee to hold and conduct a meeting. A Committee decision must receive at least four (4) votes for such decision to be approved by the Committee members.

The Committee shall be responsible for reviewing all requests for Pool Leave and for approving all or part of the request or denying the request. The Committee may return any request to the employee for clarification. An employee may appeal a decision of the Committee through any other grievance or appeal process available to the employee.

Regular, full-time employees with twelve (12) or more months of continuous employment with the City may contribute to the Pool. An employee is allowed to transfer a minimum of one (1) day or eight (8) hours and up to a maximum of five (5) days or forty (40) hours of accrued sick leave to the Pool each fiscal year in increments of one (1) day or eight (8) hours. For the City's fiscal year ending on September 30, 2024, employees may contribute to the Pool at any time during the current fiscal year and as often as they choose. Thereafter employees may contribute to the Pool during the open enrollment period of each fiscal year occurring thereafter ("Annual Enrollment Period"), except that employees who complete twelve (12) months of continuous employment after the Annual Enrollment Period ends may contribute to the Pool at any time during their first year of eligibility. Additional exceptions to the Pool contributions procedures may be made at the discretion of the City Manager.

To be eligible for a transfer of leave from the Pool, an employee: (i) must suffer a verifiable catastrophic illness or injury; (ii) must have twelve (12) or more months of continuous employment with the City; and (iii) must have exhausted all accrued paid leave including sick leave, compensatory time and vacation leave. An employee using Pool Leave is not required to pay back any Pool Leave used.

A catastrophic illness, injury, or physical or mental condition may include complications involving one or more of the following:

- Inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such care.
- Permanent/long-term incapacity requiring supervision due to a condition for which treatment may not be effective (e.g., Alzheimer's disease, a severe stroke, or the terminal stages of a disease).
- Multiple treatments by a medical care provider for non-chronic conditions (including recovery therefrom), such as cancer (e.g., chemotherapy, radiation) or organ transplant.

For the purposes of this Policy, the following are not classified as catastrophic injury or illness:

- Elective surgery.
- Injuries or illnesses which are: (i) sustained while in the course of employment with an organization other than the City of Navasota; (ii) a result of or acquired in the commission of a felony or misdemeanor while participating in a riot, or an act of war; or (iii) voluntarily self-inflicted.
- Uncomplicated delivery of a child at the conclusion of a pregnancy is not considered a Catastrophic Injury or Illness.

Since the City already budgets 100% of the employees' time as earnings, there would be no financial consequence to the addition of this new added benefit. These benefits are not paid out to the employee should they leave the organization. Any remaining unused Catastrophic Leave time will be returned to the Pool. However, the indirect cost would be if a department has to increase coverage and pay overtime or hire a temporary worker to assist during those missed days of work. Staff believe the benefits outweigh the cost and recommend City Council giving staff directions to place on a future agenda as an action item.

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#### ACTION REQUIRED BY CITY COUNCIL

**Provide staff feedback on the proposed Catastrophic Leave Pool Policy and direct staff to place the item on a future agenda as an action item.**

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Approved for the City Council meeting agenda.

  
 \_\_\_\_\_  
 Jason B. Weeks, City Manager

8/22/23  
 \_\_\_\_\_  
 Date

## **City of Navasota Catastrophic Leave Pool Policy**

The City of Navasota, Texas ("City"), has hereby established a Catastrophic Leave Pool program to benefit employees of the City of Navasota. Regular full-time employees with twelve (12) or more months of continuous employment with the City who are paid from the City's General Fund or an Enterprise Fund (Water Fund, Natural Gas Fund, or Wastewater Fund) of the City may elect to transfer earned sick leave time to the City of Navasota Catastrophic Leave Pool ("Pool"). The leave time in this Pool may then be used by eligible employees for catastrophic illness or injury, as defined and under the terms and conditions set forth by the City of Navasota and described within this Catastrophic Leave Pool Policy. Participation in the Pool is entirely voluntary, and decisions will be based on whether an employee has contributed sick leave to the Pool. The Pool benefits eligible employees who have exhausted all accrued leave, including vacation, compensatory time, and sick leave due to a catastrophic injury or illness, as defined herein.

### **Administration of the Pool.**

The City of Navasota City Manager hereby designates the Human Resources Director to administer the Catastrophic Leave Pool Policy and the Pool. The Human Resources Director's Responsibilities concerning the Catastrophic Leave Pool program include:

- Development and maintenance of the City of Navasota Catastrophic Leave Pool Policy;

- Development and maintenance of the Catastrophic Leave Pool Policy procedures, forms, and other materials;

- Interpretation of the Catastrophic Leave Pool Policy and procedures regarding employee contributions and requests for leave from the Pool;

- Maintenance of the Pool balance;

- Serve as the Catastrophic Leave Pool Administrator and chair the Catastrophic Leave Pool Review Committee.

### **City of Navasota Catastrophic Leave Pool Review Committee.**

The City Catastrophic Leave Pool Review Committee ("Committee") will consist of the Catastrophic Leave Pool Administrator, the Chief Financial Officer, two (2) representatives from sworn public safety (fire and police) employees, two (2) employees from Public Works Department, and one (1) employee representative from the remaining civilian employees who shall be selected by random drawing from the names of all full-time City employees. No elected officials may serve on the Committee. Selected employee representatives will serve on the Committee for a period of one (1) year unless sooner relieved by reason of a change in their employment status or other precluding circumstances. In this event, the City Manager shall select by random drawing a replacement employee representative from the

appropriate category of employees to serve out the unexpired term of the original employee representative. Employee representation on the Committee will be on a rotating basis. At the beginning of each City of Navasota fiscal year, membership on the Committee will be modified by the retirement of all Committee members, except for the Pool Administrator and the Chief Financial Officer, and a new panel will be appointed by the random selection from the names of all full-time City employees in the appropriate category of employees except those retiring from the Committee. Once an employee has served on the Committee, such an employee may be excluded from future selection, at the employee's option, until three (3) years have passed since the expiration of such employee's most recent service on the Committee. All Committee members, including the Catastrophic Leave Pool Administrator, shall be voting members of the Committee and have equal voting rights. The attendance of at least four (4) members of the Committee is necessary to establish a quorum for the Committee to hold and conduct a meeting. A Committee decision must receive at least four (4) votes for such decision to be approved by the Committee members.

The Committee shall be responsible for reviewing all requests for Pool Leave and for approving all or part of the request or denying the request. The Committee may return any request to the employee for clarification. An employee may appeal a decision of the Committee through any other grievance or appeal process available to the employee.

#### Eligibility for Participation in the Catastrophic Leave Pool.

Regular, full-time employees with twelve (12) or more months of continuous employment with the City may contribute to the Pool. An employee is allowed to transfer a minimum of one (1) day or eight (8) hours and up to a maximum of five (5) days or forty (40) hours of accrued sick leave to the Pool each fiscal year in increments of one (1) day or eight (8) hours. For the City's fiscal year ending on **September 30, 2024**, employees may contribute to the Pool at any time during the current fiscal year and as often as they choose. Thereafter employees may contribute to the Pool during the open enrollment period of each fiscal year occurring thereafter ("Annual Enrollment Period"), except that employees who complete twelve (12) months of continuous employment after the Annual Enrollment Period ends may contribute to the Pool at any time during their first year of eligibility. Additional exceptions to the Pool contributions procedures may be made at the discretion of the City Manager.

#### Procedure for Employee Contributions to Catastrophic Leave Pool.

To contribute sick leave to the Pool, an employee must complete a City Catastrophic Leave Pool Contribution Form and have the employee's supervisor verify eligibility by signing the Contribution Form. The Contribution Form is then forwarded to the Pool Administrator. Upon the Pool Administrator's approval and verification of the contribution eligibility, the employee's sick leave account will be decreased by the contribution amount, and the corresponding contribution amount will increase the Pool. The Pool Administrator will maintain the original contribution form on file. The employee will be notified if there is a modification in the approved donation amount.



Otherwise, contributions should be considered approved as donated.

Employees who elect to donate sick leave to the Pool may not stipulate who is to receive their contribution. Sick leave donated to the Pool becomes the property of the City and can only be withdrawn by eligible employees for catastrophic purposes as defined in this Policy. An employee who has contributed leave to the Pool may not withdraw donated time unless such employee becomes eligible to withdraw leave from the Pool pursuant to this Policy and is approved under the terms hereof.

#### Procedure for Employee Use of Leave from the Pool.

To be eligible for a transfer of leave from the Pool, an employee: (i) must suffer a verifiable catastrophic illness or injury; (ii) must have twelve (12) or more months of continuous employment with the City; and (iii) must have exhausted all accrued paid leave including sick leave, compensatory time and vacation leave. An employee using Pool Leave is not required to pay back any Pool Leave used.

Catastrophic illness or injury is considered to be any personal illness, injury, or physical or mental condition suffered by the employee or a member of the employee's immediate family that involves continued treatment by a medical care provider for chronic or long-term medical conditions resulting in the exhaustion of the employee's accrued vacation leave, compensatory time and sick leave.

Immediate family is defined as the employee's spouse, mother, father, brother, sister, son, daughter, or any other relative who is living with the employee and is dependent upon the employee for supervision and care, and includes step-parents and step-children as well as foster children certified by the Texas Department of Child Protective and Regulatory Services, and further includes Immediate Family as defined in the City of Navasota Employee Handbook.

A catastrophic illness, injury, or physical or mental condition may include complications involving one or more of the following:

- Inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such care;

- Permanent/long-term incapacity requiring supervision due to a condition for which treatment may not be effective (e.g. Alzheimer's disease, a severe stroke, or the terminal stages of a disease);

- Multiple treatments by a medical care provider for non-chronic conditions (including recovery therefrom), such as cancer (e.g. chemotherapy, radiation) or organ transplant.

For the purposes of this Policy, the following are not classified as catastrophic injury or illness:

- Elective surgery;

Injuries or illnesses which are: (i) sustained while in the course of employment with an organization other than the City of Navasota; (ii) a result of or acquired in the commission of a felony or misdemeanor while participating in a riot, or an act of war; or (iii) voluntarily self-inflicted; or

Uncomplicated delivery of a child at the conclusion of a pregnancy is not considered a Catastrophic Injury or Illness.

Employees injured in the course of City of Navasota employment who are not currently receiving Workers' Compensation benefits may apply for Pool Leave. Employees who are out on leave due to a work-related injury and who are receiving worker's compensation benefits and those who are on disability leave for any reason and receiving disability benefits may not withdraw leave from the Pool if the combination of Pool Leave and benefits (worker's compensation or disability) exceeds the employee's pre-injury or pre-illness compensation.

The illness or injury must be verified by a currently licensed medical care provider, defined as a Doctor of Medicine, osteopathy, or psychology, who is licensed to practice medicine or surgery in the State of Texas.

#### Procedure for Employee Withdrawals from Catastrophic Leave Pool.

To request a transfer or leave from the Pool, an employee (or such employee's representative) must complete the Request for Pool Leave Form and obtain certification of catastrophic illness or injury from a medical care provider utilizing the Certification of Illness/Injury form. If the employee has a current medical certification which covers the period of requested Pool Leave, a copy of the current certification may be used.

#### Requests for Pool Leave.

Requests for Pool Leave Forms and Certification of Illness/Injury Forms will be forwarded to the Pool Administrator through the appropriate supervisory channel and will be considered on a first-come, first-serve basis.

#### Notification of Status of Request for Pool Leave.

The Pool Administrator shall notify and convene the Committee, which shall have five (5) business days from the date a request is received in which to approve all or part of the request or to deny the request. The Pool Administrator will notify the employee in writing as to whether or not the use of Pool Leave has been approved. If not approved, the reasons for non-approval will be included. Reasons why Pool Leave may be denied include, without limitation, one or more of the following:

The requesting employee has not been continuously employed with the City of Navasota for at least twelve (12) months.

The requesting employee has not exhausted all of the employee's paid vacation leave, sick leave, and compensatory time balance;

The requesting employee has not suffered a catastrophic injury or illness as defined in this Policy;

The requesting employee has already used the maximum Pool Leave allowable for the current fiscal year;

The requesting employee's injury, illness, or condition was obtained in the course of employment and is currently receiving workers' compensation benefits;

The individual suffering the catastrophic event and for which the requesting employee is requesting Pool Leave, is not a member of the requesting employee's immediate family, as defined with this Policy; or

Insufficient Pool Leave time is available in the Pool.

#### Transfer of Time Following Approval of Request for Pool Leave.

Upon approval of the request, the employee's sick leave balance will be increased by the amount approved by the Committee, and the Pool Leave balance will be decreased by the corresponding amount. The Pool Administrator will maintain the original request forms on file.

#### Maximum Amount of Pool Leave.

The maximum amount of Pool Leave that can be used by any one individual employee per request shall not exceed one-third (1/3) of the balance of hours in the Pool or ninety (90) working days (i.e., seven hundred twenty [720] hours), whichever is less. The maximum amount of Pool Leave that any one individual employee can use per fiscal year shall not exceed ninety (90) working days (i.e., seven hundred twenty [720] hours). The Pool Administrator shall determine the exact amount of Pool Leave that an eligible employee may use, in accordance with the decision of the Committee.

#### Unused Approved Leave.

Any granted, unused Pool Leave will revert to the Pool in the event of:

The requesting employee's return to work in a full-duty status;

The requesting employee's return to work in a light-duty, modified-duty, or alternate-duty status;

The requesting employee's non-disability or disability retirement; or

The requesting employee's death.

#### Effect of Pool Leave on Accrual of Benefits.

An employee absent on Pool Leave is treated for all purposes as if the employee were absent on earned sick leave. Such employee will not continue to accrue vacation leave, sick leave, and longevity unless and until such Employee returns to work immediately following the Pool Leave.

The estate of a deceased employee is not entitled to payment for any unused Pool Leave transferred to the employee from the Pool. Should an employee pass away while on Pool Leave and have a remaining unused Pool Leave balance, that balance shall revert the Pool for future allocation to other eligible approved Pool Leave employees.

#### Miscellaneous.

All medical information obtained pursuant to this Policy will be maintained by the City as confidential information to the extent allowed by law.

A determination that an employee or an employee's immediate family member has a catastrophic injury or illness under the City of Navasota Catastrophic Leave Pool Policy does not mean that the employee or the employee's immediate family member has a "serious health condition" under the FMLA or a "disability" under the ADA.

Elected officials are not eligible to contribute to the Pool or withdraw Pool Leave time from the Pool.

Upon a showing of situations of extreme need, exceptions to the donation and withdrawal procedures established herein may be made at the discretion of the City Manager.

Pool Leave may not be used for postponing retirement or separation from City employment.

Pool Leave does not affect nor extend an employee's rights to insurance benefits pursuant to the City of Navasota Employee Benefits Plan.

#### Effective Date of City of Navasota Catastrophic Leave Pool Policy.

The City of Navasota Catastrophic Leave Pool Policy is effective immediately upon its adoption by the City Council of the City of Navasota, Texas. The City Council may terminate the City of Navasota Catastrophic Leave Pool Program at any time for any reason.

#### Attachments.

- A. Catastrophic Leave Pool Contribution Form
- B. Request for Pool Leave Time
- C. Certification of Illness/Injury

**CITY OF NAVASOTA  
CATASTROPHICLEAVE POOL CONTRIBUTION**

**INSTRUCTIONS:**

Employees must complete this form to contribute sick leave to the Catastrophic Leave Pool.

Please submit one original and one copy to the Human Resources Director and one to your supervisor.

Records of contributions must be retained for two (2) fiscal years plus the current year.

I wish to contribute the following amount of my accrued sick leave to the City of Navasota Catastrophic Leave Pool to be used to benefit eligible employees who are unable to work due to catastrophic illness or injury. I understand that I may contribute a maximum of 40 hours of sick leave (in increments of 8 hours) per fiscal year. I also understand that my sick leave contribution will be returned to me only as an approved withdrawal from the Catastrophic Leave Pool and only after I have exhausted my regular sick leave, vacation leave and compensatory time (if applicable).

\_\_\_\_\_  
Employee Name (Print or Type)

\_\_\_\_\_  
Social Security No.

\_\_\_\_\_  
Department

**CONTRIBUTION AMOUNT, CHECK ONE**

\_\_\_\_\_ 8 hours  
\_\_\_\_\_ 16 hours  
\_\_\_\_\_ 24 hours  
\_\_\_\_\_ 32 hours  
\_\_\_\_\_ 40 hours

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Date

NOTE: DONATIONS WILL BE ACCEPTED AT ANY TIME DURING THE FISCAL YEAR ENDING ON **SEPTEMBER 30, 2024**. THEREAFTER, DONATIONS WILL ONLY BE ACCEPTED DURING THE OPEN ENROLLMENT PERIOD OF EACH YEAR. IF YOU DO NOT DONATE DURING THIS PERIOD, YOU WILL HAVE TO WAIT UNTIL NEXT FISCAL YEAR. AN EXCEPTION WILL BE GRANTED FOR INDIVIDUALS WHO HAVE JUST COMPLETED 12 MONTHS OF CONTINUOUS EMPLOYMENT AND HAVE NOT YET DONATED SICK LEAVE TO THE POOL.

## REQUEST FOR POOL LEAVE

This form is to make an application for the use of paid leave time from the City of Navasota Catastrophic Leave Pool.

Submit one (1) copy to the employee's department head and the original to the Human Resources Director.

### SECTION 1: TO BE COMPLETED BY REQUESTING EMPLOYEE

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Social Security No.

\_\_\_\_\_  
Department

Last day employee physically on duty: \_\_\_\_\_

Date and time employee exhausted all paid leave: \_\_\_\_\_

Catastrophic leave pool time requested: \_\_\_\_\_

Leave without pay: From \_\_\_\_\_ To \_\_\_\_\_

This request must be accompanied by a Certificate of Illness / Injury.

\_\_\_\_\_  
Signature of Requesting Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Department Head / Supervisor

\_\_\_\_\_  
Date

### SECTION II: TO BE COMPLETED BY THE HUMAN RESOURCES DIRECTOR

Request Approved \_\_\_\_\_

Request Denied \_\_\_\_\_

Amount of Time Approved \_\_\_\_\_

\_\_\_\_\_  
Signature of Human Resources

\_\_\_\_\_  
Date

## TO BE COMPLETED BY THE EMPLOYEE

Department

Date

Date \_\_\_\_\_

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