

SECTION 2: Employment and Compensation

XXVIII. Compensation

- A. The City shall prepare and administer a written compensation plan for city employees. This plan shall be prepared annually and submitted to the city council for approval at the time of adoption of the annual city budget.
- B. City employees shall be paid hourly or salaried wages in accordance with the compensation plan and its ranges, if any.
- C. In preparing the compensation plan, consideration shall be given to prevailing rates of pay among similarly situated public employers (or private employers if available and agreed to by the city manager's office) position duties, responsibilities, budgetary control, span of control, certifications, education, and experience requirements or other relevant factors.
- D. It is the city's policy to use the best possible practice to administer the pay plan and pay rates in an equitable, competitive and consistent manner.

XXIX. Administrative/Special Leave

- A. Employees on duty on the date of any national, state, or local election and who are eligible to vote in such elections shall be granted time off without the loss of pay or benefits to exercise this right if they cannot reach their polling place outside of working hours before they close. Evidence of voter registration and voting may be required by the supervisor.
- B. Employees shall be granted sufficient leave with pay when called for jury service or court duty. The employee shall provide his or her supervisor a copy of the jury or court summons. Employees excused or released from jury service or court duty shall immediately report to their work station for the remainder of their shift.
- C. Employees who make donations of blood without receiving compensation for it will be excused from duty without loss of pay or benefits. Employees will be excused for such time as it is necessary to make blood donations and to recuperate, if needed. The excused absence will not exceed four hours and will be authorized for the day of the donation only.
- D. Leave with pay may be granted by the city manager as deemed appropriate for attending a professional conference, convention, job related training activity, legislative proceeding, or civic function or purposes of coordinating with governmental or private agencies and entities in the interest of the city.
- E. The City Manager may authorize other leave without pay for other conditions not specifically noted herein. Employees taking leave without pay shall not lose or gain seniority. All employee benefits will remain in effect during periods of authorized leave without pay.

XXX. Overtime and Compensatory Time

- A. Definitions for this section:
 - 1. Exempt employees are defined by the Fair Labor Standards Act (FLSA) as salaried employees who, based on their duties and salary level, are ineligible to receive overtime, even if hours worked exceed 40 hours per week.
 - 2. Non-exempt employees, as defined by the FLSA, are employees who are paid hourly and do not meet the salary and duties requirements of an exempt employee.

- B. For all scheduled and approved time worked in excess of a regular work week, compensation will be at the rate of one and one-half times the employee's regular base pay rate. Overtime, when ordered for the maintenance of essential city functions, shall be allocated as evenly as possible among all employees qualified to perform the work.
- C. Overtime pay will be paid for all time worked over 40 hours per week unless the employee is exempt from overtime pay eligibility. No sick time or time traveling to and from schools, conferences, or seminars shall be considered when determining overtime pay.
- D. Compensatory Time
 - 1. Non-Exempt Employees are eligible for "compensatory time."
 - 2. In lieu of overtime pay, the city may provide time-off instead, normally referred to as compensatory time. Compensatory time shall be provided for non-exempt employees at rate of one and one-half hours for each hour of overtime worked.
 - 3. Any and all compensatory time worked must be tracked on the time sheet for accrual and future use.
 - 4. The maximum accrual limit of compensatory time is 24 hours for all eligible employees.
 - 5. Any overtime worked that exceeds the 24 hour maximum shall be paid out as overtime pay in the respective pay period that the overtime is earned.
 - 6. Use of compensatory time must be approved by the appropriate supervisor.
- E. Discretionary time
 - 1. Exempt employees are eligible for "discretionary time."
 - 2. Discretionary time is similar to compensatory time as time off for extra hours worked, except that exempt employees are expected, by the nature of their prominent positions within the City, to work a reasonable amount of time over 40 hours without being compensated at a direct hour-to-hour basis.
 - 3. Discretionary time is not an hour-for-hour calculation of time worked or to be banked to be used for extended periods of time off.
 - 4. Requested discretionary time off must be used for a reasonable amount of time, typically one day or less.
 - 5. Time off using discretionary time must be approved in advance by the Department Director or by the City manager in cases of Department Directors requesting time off.
 - 6. Approvals will be decided on a case-by-case basis.

XXXI. Termination Pay

- A. Upon separation from employment, only employees who have completed their introductory period shall be paid for unused vacation time earned.
- B. Employees shall be paid any hours worked and overtime compensation due.
- C. No pay is provided for unused sick leave.
- D. Any indebtedness to the city which the employee might have incurred shall be deducted from his or her final paycheck.
- E. If any employee dies while employed by the city, the city shall pay the beneficiary any unpaid pay, unused vacation and accumulated benefits as applicable to normal payouts.

XXXII. Longevity Pay

- A. Longevity begins to accrue at a rate of \$4.00 per month after the first year of employment.
- B. Payouts are made in the month of December each year.
- C. In order to be eligible to receive the end of calendar year payout, the employee must be in active status during the first payroll of December of that year.
- D. Should an employee terminate employment with the City of Celina prior to that first December payroll period, they forfeit their right to the longevity payout for that calendar year.

XXXIII. Event Pay

- A. Any City of Celina hourly employee who completes hours of work for a City Sponsored event or festival will be eligible to turn in hours for supplemental pay. Number of hours available to work will be regulated by department directors and the City Manager. The event pay hourly rate will be \$15.00 per hour for all employees. All completed hours must be turned in by the close of the pay period following the event.

XXXIV. Acting Pay

- A. Acting pay may be authorized by the City Manager at the request of a department head. Acting pay is only considered for a full time employee to be temporarily promoted to a higher level position, and should typically be for a duration of more than two weeks.
- B. Occasional or short term help provided to cover higher level duties does not necessarily qualify for acting pay.
- C. Such acting pay is typically only authorized for a high level or key position which is necessary to maintain safe, efficient and effective operations.
- D. Employees who are temporarily assigned to a higher level position must be qualified to perform, and must actually perform, the full range of duties expected of the position for a majority of the time.

XXXV. Recruitment

A. General Information

1. Positions may be filled resultant from two different methods:
 - a) External applicants.
 - b) Internal applicants via a promotion, demotion or transfer for employees qualified to perform the position to which they are moving or interested.
 - (1) Promotion: movement of an employee from a lower pay grade or position to one in a higher position, grade, duties and responsibilities in the organization. This usually involves an increase in pay.
 - (2) Demotion: assignment of an employee from a higher pay grade or position to one in a lower position, grade, duties and responsibilities in the organization. This may be disciplinary or non-disciplinary, at the employee's request, or as an alternative to a reduction in force affecting

the employee. This may result in a decrease in pay to remain equitable to other similarly situated employees.

- (3) Transfer: reassignment of an employee from one position to another that have similar responsibilities, authority, and in the same pay range/grade. Transfers can be done administratively at the discretion of the department head, or with authorization from the City Manager if between departments.

B. Vacancy/Job Posting

1. Departments will notify Human Resources as soon as they determine a vacancy exists.
2. A job requisition form should be completed to notify Human Resources of the position, vacancy date, date needed to be filled, and any posting requests.
3. Human Resources will properly post all open positions.
4. Promotions: For promotional opportunities, the department head may choose to only open the position to internal candidates. Internal candidates are considered an existing employee.

C. Applications and Disqualifiers:

1. Each department will receive applications, review candidates, conduct interviews and other activities related to the recruitment process for their own positions.
2. Applicants may be required to complete additional forms or take job related examinations such as oral, written or skills testing if requested by the hiring manager.
3. Applications may be considered incomplete and removed from consideration if:
 - a) responses have not been provided to all entries on the employment application and supplements,
 - b) the applicant has not signed and dated all designated areas, or necessary diplomas, licensure, certification, or other requested documents have not been furnished as requested by the hiring manager.
4. Any applicant who is found to have made a false statement or who has practiced any deception, fraud, or misconduct in connection with his/her application, examination or appointment may be removed from further consideration, or if already working, be subject to disciplinary action up to and including termination.
5. Falsification of the application by failing to fully disclose information relating to criminal convictions will result in automatic disqualification from employment; and may result in termination of employment if the employee is already hired when the falsification is discovered.
6. The City of Celina will conduct criminal history records checks on all selected applicants, including those in part-time, seasonal, temporary and volunteer positions. The City Manager has the authority to waive or modify any testing requirements for temporary, seasonal, volunteer or other such positions that are not full time.
7. The criminal history is only one of several factors considered in the application and hiring process and does not automatically disqualify a candidate.
8. Departments shall not hire, promote, transfer or allow an employee to begin working until approval is provided by the City Manager's Office.

9. All applications are to be returned to Human Resources/designee upon a final candidate being selected so that they may be retained and destroyed in accordance with the State Retention Schedule.

D. Conditional Job Offer:

1. Once a final candidate is selected, the hiring manager should notify Human Resources who will make a conditional job offer. Once the conditional offer is made, the employee is required to complete a drug/alcohol test at a city-designated testing site. Medical examinations may be required for some positions as determined appropriate by the city.
2. The selected candidate shall undergo any of the following job-appropriate background checks: reference/prior employment check, criminal history, motor vehicle, credit check as determined appropriate by the city.
3. All conditional job offers are contingent upon the satisfactory completion of the testing and background checks and verification of information listed on the application. Refusal to take a drug test, physical examination or work fitness test will result in automatic removal from further hiring consideration.

E. On-boarding:

1. Departments are responsible for covering department-specific orientations to advise new or transferred employees of any specific procedures or practices such as explaining working conditions, teaching proper use of equipment, and scheduling employees to attend new employee orientation.

XXXVI. Introductory Period

- A. All employees except Fire and Police Sworn Personnel must fulfill a minimum six (6) month introductory period starting from the date of employment.
 1. All Fire and Police Sworn Personnel must fulfill a minimum twelve (12) month introductory period starting from the date of employment.
- B. All Non-Police and Fire employees who are promoted will serve a 6-month probationary period from the date of promotion.
 1. All promoted Police and Fire employees will complete a twelve (12) month probationary period after the date of the promotion.
- C. The introductory period is designed to give the employee time to learn the position and the supervisor time to evaluate the employee's potential, performance and conduct.
- D. The City reserves the right to terminate the introductory employee's service on the basis of unsatisfactory performance or on the basis of other reasons deemed sufficient by the City.
 1. If the employee is terminated during the introductory period, there is no appeal right except on the grounds of discrimination or harassment. Such appeal must be filed within five (5) business days of the termination.
 2. Promoted employees who fail the introductory period in the new position may be returned to the former position if the vacancy still exists and the department head approves the reinstatement. Reinstatement to the former position is an option, not a requirement.
- E. The evaluation is designed to provide a snapshot of the employee's performance in regards to individual goals within the job as well as performance in regards to team/departmental goals.

- F. Introductory periods may only be extended one time, if unique circumstances arise, up to 60 days, with written approval from the City Manager.

XXXVII. Breaks/Meal Periods/Lactation Period for New Mothers

- A. Supervisor Responsibility
 - 1. Supervisors are responsible for scheduling the time for employee rest, meal and lactation breaks and should take into consideration the work load and nature of the job performed.
 - 2. Whenever necessary, the supervisor may change the frequency and length of rest breaks.
- B. Breaks
 - 1. If authorized by an employee's immediate supervisor, employees may be allowed two 15-minute rest periods during the day.
 - 2. Rest periods shall be considered a privilege-not a right-and shall never interfere with proper performance of the work responsibilities and work schedules of each department.
 - 3. Rest periods may not be taken at the start or the end of an employee's work day and cannot be used to extend lunch breaks.
 - 4. Rest periods may not be used to facilitate late arrival or early departure from work.
- C. Meal Periods
 - 1. Full-time employees (other than Police Patrol and Fire Department First Responder employees), are normally provided a one-hour unpaid meal break near the middle of the workday.
 - 2. Meal periods may be staggered by the department supervisors in order to minimize departmental interruption.
 - 3. Supervisors will provide employees with the starting and ending times for their specific meal periods.
 - 4. Employees will be relieved from work responsibilities during unpaid meal breaks. Employees may not extend meal breaks beyond their assigned period, without express approval from their supervisor.
- D. Break Time for New Mothers
 - 1. Nursing mothers will be provided with reasonable unpaid break time to express breast milk for up to one year after the birth of a child in accordance with applicable law.
 - 2. If an employee needs time beyond the usual lunch and break times, the employee may use vacation or make up time as approved by supervisor.
 - 3. Employees and supervisors are expected to agree, in advance, upon a break schedule and how the time will be counted or made up.
 - 4. A private area will be provided for nursing mothers to use. Employees who have a private office may use it if they prefer.