

SECTION 2: Employment and Compensation

I. Employment at Will

- A. The policies and procedures, including any modifications, are prepared for informational and guideline purposes only and do not constitute a contract (either express or implied) in any respect between the City and its employees.
- B. Employment with the City of Celina is “at will,” and either the employee or the employer may terminate the relationship at any time for any reason not contrary to law or no reason at all.
- C. Any employee of the City who is not appointed by the City Council may be removed with or without cause.
- D. The at-will status of any employee may not be modified or rescinded by any oral or written statements by any person, including appointed or elected officials, any employee handbooks, employment applications, or other materials provided to employees.

II. Equal Employment

- A. The City of Celina is committed to providing all applicants and employees with equal employment opportunities and maintaining a diverse workforce. The City will not discriminate on the basis of race, color, religion, gender, sexual orientation, national origin, age, disability, or military status in accordance with applicable federal, state and local laws. Selection is based on the candidates whose background, qualifications, and any preferences requested from the hiring manager most closely match the job requirements.
- B. The City will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship, safety, and/or health risk.
- C. This policy applies to all terms and conditions of employment including, but not limited to recruitment, hiring, placement, training, transfer, promotion, termination, reduction in force, leaves of absence, compensation and benefits.

III. American With Disabilities Act

- A. To ensure compliance with the Americans with Disabilities Act and the Americans with Disabilities Act as Amended (ADAAA), the City offers equal employment opportunity to qualified individuals and strictly prohibits discrimination against qualified individuals on the basis of disability.
- B. The City will provide a reasonable accommodation to the known physical or mental impairments of an otherwise qualified individual with a disability if such reasonable accommodation will enable the individual to perform the essential functions of the position at issue. The City’s obligation under this policy is limited to providing reasonable accommodations that will not result in an undue hardship to the City.
- C. Any employee seeking a reasonable accommodation for a disability that affects the employee’s ability to perform the essential functions of the position shall make a written request through Human Resources.

- D. Employees who have a complaint involving potential violations of the Americans with Disabilities Act or ADAAA, including but not limited to harassment, discrimination, or failure to provide a reasonable accommodation, must immediately report such complaint as outlined in the City's Harassment and Discrimination policy noted herein.

IV. Diversity in the Workplace

The City of Celina is committed to creating a working environment that values and respects the differences in each of our employees to contribute to the City's overall mission of service excellence. We recognize that diversity and inclusion enhances and strengthens the City. Our goal is to ensure that our workplace and actions demonstrate professionalism and respect. We expect our employees to maintain the highest standards of ethical behavior, conduct and performance to contribute toward our vision. We believe that the unique skills, abilities, background, and perspectives each employee brings to the City through a shared vision can make an impact to those we serve and positively contribute to our City's success.

V. Eligibility to Work in the United States

In compliance with the Immigration Reform Control Act of 1986, the City shall employ only American citizens or aliens who are authorized to work in the United States. The City of Celina will only accept documentation that is approved by the U.S. Citizenship and Immigration Services, a division of the Department of Homeland Security, for use in completing an Employment Eligibility Verification Form I-9 (the "I-9").

VI. Attendance

All employees are expected to report to work on time and for each scheduled shift assigned, whether regular or overtime hours. Dependability is expected of each employee. Employees shall report to their worksite in accordance with city and departmental policies and regulations. Department heads shall establish appropriate and equitable work schedules to cover hours of operation, as well as procedures to monitor and manage attendance records of personnel.

VII. Indictments Against an Employee

- A. An employee may be suspended, with or without pay, if accused or indicted for a crime or official misconduct pending a decision on the indictment such as dismissal, acquittal or conviction.
- B. If the indictment is dismissed or the employee is acquitted, the suspended employee shall be reinstated to his or her former position or a similar one if not available, without loss of any benefits. Further, such suspension shall not be considered as disciplinary action.

VIII. Work Standards

- A. Each employee is expected to maintain high standards of cooperation, efficiency, work habits, attitude, conduct and proficiency in his or her work for the city.

- B. Department heads are expected to ensure they organize and direct the work of their departments and personnel to achieve such high standards as a team.
- C. Any deficiencies in the work standards noted shall result in appropriate application of the progressive discipline policy until such behavior is corrected to expected levels or the employee is separated from service.

IX. Political Activities

- A. Except as allowed by law, the following restrictions on political activity shall apply to city employees:
 - 1. Employees shall refrain from publicly using their positions for or against any candidate for public office in any jurisdiction.
 - 2. No employee while on duty shall take an active part in any political campaign of another person for an elective position of the city. The term “active part” means making political speeches, passing out cards or other political literature, writing letters, signing petitions, actively and openly soliciting votes, and making public derogatory remarks about the candidates.
 - 3. Employees may not be required to contribute to money, labor, time or other valuable thing to any person for city election purposes.
 - 4. No employee may hold an appointive or elective city office of public trust, partisan office in any jurisdiction, or any other office where service would constitute a direct conflict of interest with city employment, with or without remuneration.

X. Solicitation

- A. Solicitation of contributions or anything of value for any purpose whatsoever shall be permitted by city employees on the job only with the express approval of the City Manager.
- B. No employee may be required to make any contribution or may be penalized or rewarded in any way in connection with his or her employment according to his or her response to the solicitation.

XI. Conflict of Interest/Gifts

- A. No officer or employee of the city shall accept, directly or indirectly, any gift favor, privilege, or employment having a monetary value in excess of twenty-five dollars (\$25.00) from any person, firm, or corporation doing business with, or seeking to do business with the city during the term of office or during the employment of such employee of the city and in connection with such office or employment, except as may be authorized by the City Manager and/or City Council on behalf of the city or its benefit.
- B. Under no circumstance shall cash or any instrument of cash having monetary value be accepted. (as a gift, etc.)
- C. No officer or employee of the city who is employed, directly or indirectly, by any person, firm, or corporation doing business with, or seeking to do business with the city shall in any manner participate in any discussion or decision of any agency, board,

commission, or instrumentality of the city having to do with the business done or sought to be done with the city by such person, firm or corporation without first declaring publicly such employment.

- D. A paid city employee shall not solicit, accept or engage in outside employment or enter into any contract or business relationship which would impair independence of judgment in, or the faithful performance of their official duties, that results in a conflict of interest with their duties as an employee of the city.

XII. Secondary Employment

- A. Outside employment is not expressly prohibited by the city, but the full-time position the employee holds with the City of Celina shall take precedence over any other occupational involvement of the employee. No full-time employees of the City shall engage in any occupation or outside activity which interferes with their employment with the City or presents a conflict of interest.
- B. Any employee desiring to engage in secondary employment must submit a "Request for Outside Employment" which indicates the nature and time required for such employment to his/her supervisor prior to accepting such employment. The supervisor shall forward such request to the Department Manager.
- C. If the Department Manager determines that a conflict of interest exists, the request to engage in secondary employment will be denied and the employee shall be advised not to engage in the secondary employment.
- D. If the employee accepts the secondary employment after the supervisor has advised otherwise, the employee will be subject to disciplinary action, up to, and including dismissal.
- E. If secondary employment is approved, the Request for Outside Employment will be forwarded to Human Resources and put in the employee's personnel file. There shall be a periodic review to ensure there is no conflict of interest.
- F. Approval of secondary employment may be withdrawn at any time when such employment constitutes a conflict of interest with the City. Approval can also be revoked when there is a conflict of interest for the employee or where the secondary employment interferes with the individual's employment with the City.
- G. The "Request for Outside Employment" accompanied by necessary reporting information shall be treated confidentially for all purposes other than review and action by appropriate officials.
- H. Individual departments may have their own provisions regarding secondary employment, in those cases; departments should comply with all applicable directives.
- I. All questions with regard to the above procedure should be directed to the Director of Human Resources.

XIII. Payday

- A. Employees are paid on a biweekly basis on Friday. Pay dates falling on a city-designated holiday will be scheduled for the preceding business day.

XIV. Dress Code

- A. This policy provides general guidelines for departments and addresses appropriate and inappropriate apparel for both normal work days and City authorized "casual" days.
- B. All employees are expected to dress in a professional manner, practice good grooming and hygiene, and maintain neat, clean appearance and in good taste. Attire and hygiene should reflect a professional, businesslike atmosphere.
- C. The City recognizes that different styles will be necessary depending on changes of seasons, degree of customer contact, the nature of the work, and safety issues.
- D. The City has authorized Fridays as "Casual Day". Other casual days or theme days may be authorized by the City Manager.
- E. Attire is defined in the following general categories and is not intended to be an all-inclusive list. Additional clothing may be deemed inappropriate and/or appropriate based on supervisor discretion. Employees and managers should use reasonable discretion as to clothing that fits these categories and which are appropriate based on current trends, styles, etc.
 - 1. "Business" Attire:
 - a) Clothing that is neat, clean, in good taste and appropriate to the duties of the position. Such clothing may typically be worn for more formal business meetings, city council, court venues, vendor/client meetings and/or conferences as appropriate. Business attire includes suits, dress pants, dress shirts, dresses, skirts, ties, and dress shoes or other clothing that reflects a more formal business environment.
 - 2. "Business-Casual" Attire: Clothing that is less formal than business attire but remains appropriate to the position and duties.
 - a) Clothing may include such items as knit pants/skirts; khaki pants (similar to Dockers-style); casual skirts, shirts and blouses, shirts with city approved logo-button, polo or pullover style, etc.
 - b) Clothing in this category should fit properly and not be too revealing, short, tight or baggy. Items such as mini-skirts, cocktail dresses, items which reveal/expose midriff, are tattered/frayed, or which reveal cleavage are inappropriate.
 - 3. "Casual" Attire: Clothing that is less formal than business-casual.
 - a) This clothing is similar to business casual, but usually includes jeans, approved t-shirts for specific city-sponsored events, and more casual shirts, leggings, pants, and general attire.
 - b) Casual shoes, sandals, boots allowed.
 - c) Casual clothing that is torn, frayed or dirty, flip-flops, beach shoes, sweat suits/jogging suits, shirts that are cut off and ball caps are inappropriate attire.
 - d) Shorts in the office environment are not appropriate
- F. Each department is responsible for implementing the dress code policy and communicating it to their employees. Departmental dress codes may be more restrictive than the policy. Exceptions to the dress code may be approved by the

director or City Manager under certain circumstances, including a special departmental event, holiday weeks, etc.

- G. Along with attire, employees will maintain proper hygiene and grooming. Piercings in visible body parts, other than the ear, or more than two items of jewelry in each ear, are not acceptable and/or may be asked to be covered or removed while at work based upon manager's discretion and the work environment. Once hired, employees may not add visible tattoos or body piercings.
- H. Employees who are required to wear City authorized uniforms should follow the guidelines established within their departments and in compliance with this policy for non-uniform related issues.
- I. Unusual circumstances as approved by the supervisor such as weather conditions, special work assignments, medical reasons, worksite conditions and/or non-normal working hours and situations may be sufficient reasons to grant an exception to the dress code.
- J. Employees who do not meet dress code standards may be sent home to correct whatever issue exists that is not perceived to be in compliance and/or may receive disciplinary action if warranted based on severity or any pattern that exists.
- K. Questions about proper attire should be directed to the employee's supervisor/chain of command.

XV. Bar from Employment

An applicant or employee who is separated or resigns in lieu of separation from employment for:

- A. Violating a general city policy will be barred from employment for a period of at least six (6) months.
- B. Gross misconduct such as fraud, theft, harassment or discrimination may be barred from employment indefinitely.

XVI. Nepotism

This section refers to the practice of favoring relatives, roommates or cohabitants over others.

A. Relatives Defined:

1. Relatives include, but are not limited to, the first, second, and third degree of consanguinity (blood); adoption; and the first and second degree of affinity (marriage).
 - a) Persons related through the third degree of consanguinity (blood relation) include:
 - (1) FIRST DEGREE – father, mother, daughter, son.
 - (2) SECOND DEGREE – brother, sister, grandparent, grandson or granddaughter.
 - (3) THIRD DEGREE – uncle, aunt, niece, nephew, great grandparent, great grandson, or great granddaughter.
 - b) Persons related through the second degree of affinity (relative through marriage) include:

(1) FIRST DEGREE – husband, wife, son-in-law, daughter-in-law, mother-in-law, father-in-law, stepmother, stepfather, stepson, stepdaughter.

(2) SECOND DEGREE – brother-in-law, sister-in-law, or spouse’s grandparent, grandchild, step-grandparent, stepsister or stepbrother.

2. Cohabitants are persons who live together in a sexual relationship but are not married, nor are declared to be married.

3. Roommates are anyone sharing the same residence in a non-sexual relationship.

B. General Provisions:

1. No applicant or employee may be hired, transferred or promoted into a position which would cause them to be regularly in the direct line of supervision of a relative, cohabitant or roommate.

2. All internal and external applicants must, at the time of application/hire, disclose the name(s) of any relative(s), cohabitant or roommate serving as elected City officials or currently working for the city in any capacity.

a) Nondisclosure of this information will be deemed as falsification of an application and will result in non-consideration for a position or termination if the person has already been placed on the payroll. In the case of collusion, the current employee who is a relative will be disciplined up to and including termination.

3. No relatives, cohabitants, or roommates will be placed in positions allowing for financial signature approval of any purchasing or payroll transactions for one another.

a) In the case where business demands require indirect or temporary supervision of relatives, the Department Director of the employees is responsible for establishing a process of auxiliary review for the affected employees to include review and signature authority over timesheets, purchase orders and any other action where a conflict could arise from the reporting relationship of family members.

4. The hiring and promotion of relatives will not be allowed, even in different departments or cost centers, if that action creates a conflict of interest for the city as determined by the City Manager. When any relationship through blood, marriage, cohabitation or roommate presents a conflict of interest for the city, the city reserves the right to take appropriate action to eliminate the conflict.

C. Procedures:

1. Developing a relationship with a co-worker is strongly discouraged, but not prohibited due to a potential awkward environment such relationship ending can create in the workplace for all parties involved. Any inter-office dating that creates a disruption to the work environment during or following that relationship may be addressed in the disciplinary policy.

2. Should a relationship develop during employment which is not allowed by this directive, the following procedures apply:

a) One of the employees must resign his/her position and may apply for another position within the city through the established employment process.

- b) The decision as to which employee will vacate his/her position will, initially, be left up to the affected employees.
- c) They will be given thirty (30) days to decide and vacate the position. If the affected employees do not make a decision as to who should vacate within the 30 days, the Department Director will notify the employee with the least seniority based on hire date that he/she must vacate their position.

XVII. Residency Requirements

- A. There is no mandated residency requirement for city employment.
- B. Employees who are likely to be called to work in cases of emergency may be required to reside within a reasonable response time set by the director, which is typically within 45 minutes of the city.
- C. Employees allowed take home vehicles may be required to reside within a reasonable mileage from the city as determined by the City Manager.