

CITY OF HAYS, TEXAS
PART- TIME EMPLOYEE PERSONNEL POLICY

Each part-time employee of the City of Hays, Texas (the “City”) has an employee status that identifies how the position is paid and how benefits are granted by the City Council. This policy is designed to provide information about working conditions, employee benefits, and policies affecting employment. City part-time employees should read, understand, and comply with all provisions of this policy. The City desires to provide a work environment that is conducive to both personal and professional growth.

No personnel policy can anticipate every circumstance or question about policy. As the City continues to grow, the need may arise and the City reserves the right to revise, supplement, or rescind any portion of the policy from time to time as the City Council deems appropriate, at its sole discretion. The only exception to any changes is the City’s employment-at-will policy permitting the City or its employee to end the employment relationship for any reason at any time.

The City of Hays operates under the doctrine of voluntary employment-at-will and, within the requirements of state and federal law regarding employment, can dismiss an employee at any time, with or without notice, for any reason or no reason. No representations to the contrary by any employee will be binding unless reduced to writing and signed by an authorized representative of the City. Texas law allows the City to maintain this at-will employment relationship with its employees.

No policies or procedures contained in this document or any other City of Hays memorandum, manual, or publication may be construed to create a contractual employment relationship, nor do policies and procedures contained in this manual give rise to any contractual rights of any kind. This document is not intended to, nor does it, create a contract of employment between an employee and the City of Hays. Further, this policy and its contents do not modify the City of Hays’ employment-at-will relationship with its employees.

This policy may be modified or withdrawn at any time, with or without notice. The most current version of the City’s personnel policy will be maintained in the City Secretary’s office.

1. Definition of employee status

- One half (½) Regular Time - A ½ regular time employee is any employee in a position who has a normal work schedule of at least twenty (20) hours per week but less than thirty (30) hours per week. All ½ regular time employees must be placed on Texas Municipal Retirement System (TMRS) retirement regardless of the number of hours worked per week. Other city policies will dictate eligibility for other benefits.
- Regular Part Time - A regular part time employee is any employee in a position who has a normal work schedule of less than twenty (20) hours per week. All regular part-time employees are not eligible for TMRS retirement unless he or she works at least 1,000 hours in a year.

- Temporary - A temporary employee is any employee who is expected to work each week in a position that is expected to last for a specific period of time or until a specific project is completed, not to exceed 12 months. Temporary employees are not entitled to any benefits under the Affordable Care Act and are also not eligible for retirement benefits under TMRS.
- Unpaid – An unpaid employee may be an intern, volunteer, or reserve deputy.

An employee whose status has changed from unpaid or temporary to regular part time peris considered hired on the date of acceptance of regular employment.

2. Pay Periods

Employees have the option to be paid monthly or semi-monthly. The first pay period is the 1st of the month through the 15th. The following pay period is from the 16th of the month through the last day of the month. Employees choosing to be paid semimonthly will be paid on the 15th and the last working day of the month. Employees choosing to be paid monthly will be paid at the end of the month. If a payday falls on a holiday or a weekend, paychecks will be issued on the last workday immediately preceding the holiday or weekend.

Part-time hourly employees will get paid the following pay period. Example: part-time employees work from the 1st – 15th, they will get paid for those hours at the end of the month. Example: part-time employees work from the 16th – 31st, they will get paid on the 15th of the following month.

The City of Hays does not provide any pay advances on unearned wages to employees.

3. Attendance Expectations

Each employee will report to work unless prior approval for absence is given by their supervisor. If the employee is unable to report for work because of circumstances beyond their control, the employee must contact the supervisor as soon as reasonably practical.

Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times as well as variations in the total hours that may be scheduled each day of the week. All City of Hays employees are expected to report punctually for duty at the beginning of each assigned shift and work the full schedule established.

Each employee will submit a monthly time report at the beginning of the subsequent month.

If an employee is unable to be at work at their normal reporting time, they will follow the established department procedures for notifying their supervisor prior to the scheduled start of their shift or as soon as it is reasonably practicable in the case of an emergency.

Each employee will remain on the job until the normal ending time established by the supervisor unless permission to leave early is given by the supervisor.

Each supervisor is responsible for determining if an unscheduled absence or tardiness is to be classified as excused or unexcused, based on the circumstances causing the absence or tardiness.

Frequent unexcused absences or tardiness, as determined by an immediate supervisor, may make an employee subject to disciplinary measures, up to and including termination of employment.

An employee who does not report for work for three (3) consecutive scheduled workdays, and who fails to notify his or her supervisor, will be considered to have resigned their position by abandonment.

4. Vacation Leave

Vacation time off with pay is available to non-temporary employees working 20 hours or more per week. The amount of paid vacation time employees receive each month increases with the length of their employment as follows:

Vacation Accrual for Employees Working 40 Hours per Week or More **YEARS OF SERVICE HOURS EARNED MONTHLY**

First year of employment	4.00 hours
1 year to 4 years	7.00 hours
5 years to 9 years	8.00 hours
10 years to 14 years	10.00 hours
15 years or more	12.00 hours

Vacation Accrual for Employees Working 20-39 Hours per Week **YEARS OF SERVICE HOURS EARNED MONTHLY**

First year of employment	2.00 hours
1 year to 4 years	4.00 hours
5 years to 9 years	5.00 hours
10 years to 14 years	6.00 hours
15 years or more	7.00 hours

Vacation Accrual for Employees Working 10-19 Hours per Week **YEARS OF SERVICE HOURS EARNED MONTHLY**

First year of employment	1.00 hours
1 year to 4 years	2.00 hours
5 years to 9 years	3.00 hours
10 years to 14 years	3.50 hours
15 years or more	4.00 hours

An employee hired on the first working day of the month will earn a full month's vacation accrual. An employee hired after the first working day of the month will not earn a month's accrual until the following month. Vacation leave accruals will be applied on the first of every month.

Before vacation time can be used, a waiting time of 180 calendar days must be completed. After 180 days of employment, employees can request to use time accrued during the 180 days. Years of service are based on the employee's anniversary date. Service for an employee that works less than 20 hours per week does not count towards years of service for vacation accrual purposes. Service for an employee that is classified as temporary or seasonal does not count towards years of service for vacation accrual. Once an employee enters an eligible employment classification, they begin to earn paid vacation time according to the schedule. A break in continuous service with the City forfeits any vacation accrual benefits. Rehired employees will earn leave as if they were a new hire. Vacation will not be accrued while an employee is on leave without pay for 30 days or more. Accrual of vacation will begin at the time an employee begins work in a position eligible to accrue vacation, but an employee must work for a minimum of 180 days in such a position before being eligible to take any vacation.

At the end of each fiscal year (September 30), employees may carry any unused vacation time forward as long as it does not exceed 240 hours for full-time employees, and 120 hours for ½ regular time and regular part time employees. Employees may accrue hours above this ceiling throughout the fiscal year but will only be allowed to carry the maximum amount into the new fiscal year. Any hours above the ceiling will be reduced as of October 1 and will not be available for the employee to use.

Upon termination of employment, employees will be paid at the current rate of pay for unused vacation time that has been earned through the last day of work. An employee terminating on or before the 15th of the month will earn ½ of a month's accrual. An employee terminating after the 15th of the month will earn a full month's accrual. Employees who leave employment for any reason during the first 180 days of employment will not be paid for any vacation time. The maximum amount an employee will be paid upon termination is 240 hours for full-time employees, and 120 hours for ½ regular time and regular part time employees.

Scheduling vacations will be at the discretion of the mayor and city council. Not all requests will be approved. Requests will be reviewed based on a number of factors, including City needs and staffing requirements.

When an illness or physical incapacity occurs during the time an employee is on vacation leave, accrued sick leave may be granted to cover the period of illness or incapacity. The employee's sick leave balance will be reduced by the number of applicable hours and the hours will be added back to vacation time if previously deducted.

Employees will only be able to use vacation which has already been accrued and will not be allowed to borrow vacation against possible future accruals. Employees will not be allowed to receive pay for vacation in lieu of taking time off.

Each employee will be responsible for accurately recording all vacation time used on their timesheet. Paid time off for vacation will not be counted as hours worked for the purposes of determining overtime.

Employees earning vacation leave for more than 6 months that transfer to a position that does not earn leave such as an elected, appointed, or other position will be paid for their vacation leave balance up to 240 hours at the rate prior to the transfer.

Compensatory time must be in compliance with the City of Hays policy before employees can use accrued vacation.

5. Sick Leave

All non-temporary employees working over 10 hours per week are eligible for sick leave.

Eligible employees will accrue sick leave benefits at the rates shown below:

- employees working 40 hours per week or more will earn 8 sick hours per month;
- employees working 20-39 hours per week will earn 4 sick hours per month; or
- employees working 10-19 hours per week will earn 2 sick hours per month.

An employee hired on the first working day of the month will earn a full month's accrual. An employee hired after the first working day of the month will not earn a month's accrual until the following month. Sick leave accruals will be applied on the first of every month.

Sick leave may be used for the following purposes:

- for illness or injury of the employee;
- for appointments with physicians, optometrists, dentists, and other qualified medical professionals; or
- to attend to the illness or injury of a member of the employee's immediate family who resides in the employee's household.

For purposes of this policy, immediate family will be defined as spouse, child, parent, sibling, grandparent, grandchild or spouse' child, parent, sibling, grandparent, grandchild, or a son-in-law or daughter-in-law, living in the employee's home who is dependent on the employee for care.

When sick leave is to be used for medical appointments, an employee will be required to notify their supervisor of the intent to use sick leave as soon as the employee knows of the appointment. Employees are expected to return to work when the scheduled appointment is over. When use of sick leave is not known in advance, an employee will notify their supervisor of the intent to use

sick leave within the established department procedures for notifying their supervisor prior to the scheduled start of their shift or as reasonably practicable in the case of an emergency. If the employee feels that the situation will cause the employee to miss more than one day of work, the employee should notify their supervisor of the anticipated length of absence. Unless otherwise approved by the supervisor, employees must call in on each day of absence. Where the nature of the absence necessitates, the supervisor may approve longer reporting intervals for extended periods of time off. If an employee uses three or more consecutive days of sick leave, it is required that an employee submit a physician's statement or some other acceptable documentation of injury or illness, for either the employee's own illness or the illness of an immediate family member. Employees may be required to provide a physician's statement for absences less than 3 days as required by their supervisor.

Sick leave covers a reasonable time for travel to and from doctor's appointments. The employee must receive pre-approval for the use of vacation and/or compensatory time for the balance of the absence beginning with the ending time of the appointment.

When an illness or physical incapacity occurs during the time an employee is on vacation leave, accrued sick leave may be granted to cover the period of illness or incapacity. The employee's sick leave balance will be reduced by the number of applicable hours and the hours will be added back to vacation time if previously deducted.

Employees will not be allowed to borrow sick leave against future accruals.

There is no maximum amount of sick leave that can be carried forward into future fiscal years.

Upon voluntary retirement (not discharged), drawing an annuity with TMRS, with at least 20 years of continuous service with City of Hays, eligible employees will be paid at the City's lowest hourly rate at the time of retirement up to 480 hours of accrued sick leave for regular full-time employees, 360 hours for $\frac{3}{4}$ regular employees, and 240 hours for $\frac{1}{2}$ regular time or regular part time employees. This amount will not exceed a gross of \$6,000.00. Sick leave in excess of these amounts will not be paid to employees under any other circumstances.

Each employee will be responsible for accurately recording all sick time used on their timesheet. Paid time off for sick will not be counted as hours worked for the purposes of determining overtime.

Sick leave may not be used as vacation time or for any other reason not addressed in this policy.

6. Holidays

All non-temporary employees working over 10 hours or more per week are eligible for holiday pay.

City of Hays holidays will be determined by the City Council annually.

- employees working 40 hours per week or more will get 8 hours per holiday.

- employees working 20-39 hours per week will get 4 hours per holiday; or
- employees working 10-19 hours per week will get 4 hours per holiday.

If a designated holiday falls on an eligible employee's day off, the employee will be allowed to take the number of hours as described above on another day with pay as coordinated with their supervisor. These hours will be banked as compensatory time until the employee is able to take time off.

If an eligible employee is called into work on a holiday because of an emergency, or other special need of the City, the employee will be given paid time off equivalent to the amount of time worked on the holiday. These hours will be banked as compensatory time until the employee is able to take time off.

An employee who is absent without approved leave on the workday immediately preceding or following a holiday will receive leave without pay for the holiday and the additional day off.

Special consideration will be given to employees requesting time off for religious or other special observances which are not designated as paid holidays for the City of Hays. Each supervisor is responsible for granting this leave based on the needs of their individual departments. Vacation and/or compensatory time may be used for special leave granted. If the employee does not have accrued leave they may use the leave without pay option.

7. Bereavement Leave

Full time employees will be allowed up to 24 hours leave with pay for a death in the immediate family (12 hours for ½ regular time or regular part time employees working at least 10 hours per week). For purposes of this policy, immediate family will be defined as spouse, child, parent, sibling, grandparent, grandchild or spouse's child, parent, sibling, grandparent, grandchild, or a son-in-law or daughter-in-law.

Special consideration may also be given to any other person whose association with the employee is similar to the above relationships.